HC-KAR

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 29TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 104688 OF 2016 (GM-RES)

BETWEEN:

N.G. HITTALMAKKI S/O. GOVINDARAY
AGE: 58 YEARS, OCC: SENIOR MOTOR VEHICLE INSPECTOR, OFFICE OF THE DEPUTY COMMISSIONER, TRANSPORT AND SENIOR REGIONAL TRANSPORT OFFICE, SHIVAJI NAGAR, BELAGAVI.

... PETITIONER

(BY SRI M.B. GUNDAWADE, ADVOCATE)

AND:

KARNATAKA STATE INFORMATION COMMISSION BENGALURU,
DOOR NO.2, 3RD FLOOR, MULTIFLOOR BUILDING,
DR. AMBEDKAR VEEDHI, BENGALURU-560001
REPRESENTED BY ITS COMMISSIONER.

... RESPONDENT

(BY SRI D.M. BANDI, ADVOCATE FOR RESPONDENT)

MOHANKUMAR B SHELAR

Digitally signed by MOHANKUMAR B SHELAR
Location: High Court of Karnataka, Dharwad Bench
Date: 2026.07.01 13:05:08 +0530

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE THE WRIT IN THE NATURE OF CERTIORARI QUASHING THE ORDER PASSED BY THE RESPONDENT IN THE CASE BEARING KMA 8455 APL 2014, DATED 22.03.2016, PRODUCED AT ANNEXURE-G & ETC.,

THIS PETITION, COMING ON FOR FURTHER HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

1. This petition is filed assailing the order passed by the respondent, as per Annexure-G, whereby the Information Appellate Authority has imposed a penalty of ₹5,000/- on the ground that the petitioner is guilty of not furnishing the information sought by the complainant.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the appellate authority. Perused the records.

3. The records indicate that a complaint came to be lodged alleging that the petitioner, who was then serving as the Senior Motor Vehicles Inspector in the Office of the Deputy Commissioner of Transport and Senior Regional Transport Office, Shivaji Nagar, Belagavi, had failed to furnish the information sought under the Right to Information Act, 2005 , within the statutory period.

4. Upon considering the complaint, the respondent-authority concluded that there was delay in furnishing the information and, consequently, imposed a penalty of ₹5,000/- on the petitioner.

5. I have carefully examined the material placed on record. There can be no dispute that the object of the Right to Information Act, 2005 is to promote transparency and accountability by ensuring that citizens have timely access to information held by public authorities. However, the records reveal that the information sought by the complainant pertained to the number of two-wheelers, three-wheelers and four-wheelers registered in respect of Kodani Village.

6. Having regard to the nature of the information sought, this Court is of the considered view that, although there may have been some delay on the part of the petitioner in furnishing the information, the request itself was broad in its scope and required compilation of

voluminous data. The petitioner, who was serving as the Senior Motor Vehicles Inspector at the relevant point of time, was required to collect and collate information from various records before furnishing the same.

7. It is also relevant to note that the incident pertains to the year 2016, when the process of retrieval and verification of such records was largely manual. In such circumstances, the petitioner may not have been in a position to furnish the information within the period prescribed under the Right to Information Act, 2005. Requiring the concerned officer to compile extensive statistical data within a limited time frame would inevitably entail administrative difficulties and is likely to impede the regular functioning of the department.

8. The records do not disclose the urgency or the specific purpose for which such voluminous information was sought by the complainant. The respondent-authority appears to have proceeded solely on the premise that there

was delay in furnishing the information and has imposed the penalty without adequately appreciating the practical difficulties involved in collecting and compiling the data sought. This aspect assumes significance, particularly when the imposition of penalty has adverse civil consequences and is likely to affect the petitioner's future service prospects, including promotional avenues.

9. It is not in dispute that the information sought by the complainant has since been furnished. In the peculiar facts and circumstances of the present case, this Court is of the considered opinion that the delay does not warrant the imposition of penalty. Accordingly, the impugned order imposing a penalty of ₹5,000/- deserves to be set aside.

10. In view of the foregoing discussion, the following:

ORDER

(i) The writ petition is ***allowed***.

(ii) The order dated 22.03.2016 passed by the respondent in Case No. KMA 8455 APL 2014 imposing a penalty of ₹5,000/- on the petitioner, produced at Annexure-G, is hereby quashed.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

VNP / CT: GSM
List No.: 1 Sl No.: 55