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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LPA 710/2017

S DAYA SINGH & SON (HUF) & ORS

..... Appellants

Through Mr. Riju Raj Jamwal, Advocate.

versus

CENTRAL INFORMATION COMMISSIONER & ORS

..... Respondents

Through Mr. Vikram Jetly, CGSC for
respondent Nos.2 and 3.

Mr. Rajesh Bhardwaj with Mr. Ajay
Tejpal and Ms. Anumeha Verma,
Advocates for respondent No.4.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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13.11.2017

CM No.40383/2017 (exemption)

Exemption is allowed subject to all just exceptions.

LPA 710/2017 & CM No.40384/2017 (stay)

1. The relevant controversy, in this case, is whether the affirmation order by the learned Single Judge, with respect to the decision of the Central Information Commission, on the information applicant, was correct in the circumstances of the case. The information applicant was one Sh. A.K. Kaul, who sought details and particulars with respect to conversion into freehold of certain properties.

2. During the course of the proceedings, what came to light was that the information applicant claimed to have some interest in the property on his status as an officer of one SDB Infrastructure Pvt. Ltd., which had raised an arbitration dispute with some of the rival claimants to the property. The learned Single Judge, after considering the original file, was of the opinion that the information sought had to be furnished. At the same time, the impugned order directed that the personal details relating to the I-Cards, Cheques, Identity Proofs, Passports needed to be redacted. Likewise, the CPIO was also directed to redact the office notings.

3. At the outset, learned counsel for the respondent Nos.2 and 3 informed the Court that the impugned order was complied with and the information sought was furnished.

4. Nevertheless, the appellant urged that the locus of the information applicant was disputed and that the information sought for fell within the exceptions of Section 8(j) of the Right to Information Act, 2005.

5. This Court is of the opinion that there is no infirmity in the impugned order. Section 4 of the Right to Information Act, 2005 mandates putting out of all information and office processes; only those which pertain to personal details are exempted from their disclosure by virtue of Section 8 of the Right to Information Act, 2005. Besides these, certain State activities such as those relating to intelligence, security, etc. are outside the purview of the Right to

Information Act, 2005. In the present case, the information sought is related to the policies applied for conversion of property. The Central Government had interest in that property as a paramount lessor.

6. In these circumstances, the Court is of the opinion that there is no infirmity in the impugned order. The appeal is, accordingly, dismissed.

S. RAVINDRA BHAT, J

SANJEEV SACHDEVA, J

NOVEMBER 13, 2017
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