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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7656/2016**

SURENDER TANEJA

..... Petitioner

Through Petitioner in person.

versus

UNION OF INDIA & ORS

..... Respondents

Through Mr Jasmeet Singh, CGSC and
Mr Srivats Kaushal, Advocates for UOI/R1.
Mr Prateek Chadha, Advocate for R2-4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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23.08.2018

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“i) It is therefore most respectfully prayed that this Hon’ble Court may kindly be pleased to pass an appropriate Writ, Order, direction, directing the Respondents No. 3 to 6 to deliver/provide/supply the requisite information sought by Petitioner in the stipulated period as the RTI ACT 2005.

ii) Pass an appropriate Writ, Order, direction, directing the respondent No.2 to remain vigilant about its department so that they never cause inconvenience to the general public at large as well as individual who is seeking necessary information as per RTI Act.

iii) Pass an appropriate Writ, Order, direction, directing the respondent No. 1 to make necessary amendment in the RTI Act for imposing penalty/fine as well as

imprisonment also for not supplying the requisite information sought by the general public or individual as per the RTI Act.”

2. The petitioner is essentially aggrieved by the non supply of information as sought under the Right to Information Act, 2005. By an application dated 28.02.2014 (received on 08.03.2014) addressed to the Food and Civil Supply Commissioner, the petitioner had sought the following information:

“(a) All the photocopies of the FPS shops’ sale register, billing register, names of the card holders/ customers regd. with the shops (mentioned in Annexure-A) and the receipts for the ration issued to the consumers/ customers for the period w.e.f. “1-4-2013 to 30-4-2013 and 1-4-2013 to 30-4-2013.

(b) The number of cards which were transferred to other circle from circle no. 19 and how many were cancelled in circle no.19 during 1-1-2011 to 2013. Please disclose their names, card No. and address.”

3. It is alleged that the information as sought was not provided to the petitioner and the petitioner escalated the matter to the Central Information Commission (CIC). The CIC passed an order dated 13.02.2015; the operative part of which reads as under:-

“Having heard the submission and perusal of records, the commission directs the respondent officer to place copy of the sale register and stock register regularly on official website so that anybody could note it. The commission also directs the PIO that, if the information sought by the appellant does not pertain to C-19, Sadar Bazar, then transfer the RTI application to the concerned circle and provide the information to the appellant within 20 days of date of receipt of this order.”

4. The learned counsel appearing for the petitioner submits that the petitioner is essentially aggrieved by the non-compliance of the aforesaid order.

5. The learned counsel appearing for the petitioner points that the petitioner has already moved the CIC for taking action against the concerned officers. Mr Chadha, the learned counsel appearing for the respondent states, on instructions, that action for not supplying the information within the requisite time, has been taken against certain officers.

6. In view of the above, it is not necessary to consider the petitioner's prayer – prayer no. (ii) – for taking necessary action as the petitioner has already moved the CIC for similar relief. The prayer that this Court may direct the respondent to amend the RTI Act is also unmerited. The only issue that remains for consideration is, whether any directions are required to be issued to the respondents for complying with the orders passed by the order dated 13.02.2015 passed by the CIC.

7. Respondent nos. 2-4 may have reservations as to the said order; however, they have not challenged the said order and are, therefore, required to comply with the same.

8. In view of the above, the present petition is disposed of by directing the respondents to comply with the CIC's order dated 13.02.2015 or take appropriate steps to challenge the same.

VIBHU BAKHRU, J

AUGUST 23, 2018/pkv