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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 7th February, 2023

+ **W.P.(C) 1541/2023**

DHARMVEER

..... Petitioner

Through: Dr. Amit George, Mr. Rayadurgam
Bharat, Mr. Arkaneil Bhaumik and
Mr. Piyo Harold Jaimon, Advocates.
(M:9874123633)

versus

**CENTRAL INFORMATION COMMISSION
& ANR.**

..... Respondents

Through: None.

**CORAM:
JUSTICE PRATHIBA M. SINGH**

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL.5826/2023 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

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3. The present petition has been filed by the Petitioner seeking enforcement of order dated 30th June, 2022 passed by Respondent No.1- Central Information Commission (*hereinafter 'CIC'*) in ***Dharam Veer v. CPIO, Union Bank of India.***

4. The grievance of the Petitioner in the present petition is that the order dated 30th June, 2022 passed by the CIC directing Respondent No.2- Union Bank of India to provide the information sought to the Petitioner is not being implemented by the Union Bank of India.

5. The background of the matter is that the Petitioner had applied for the post of part-time sweeper in the Union Bank of India on 14th January, 2010

pursuant to a newspaper advertisement. When despite several months lapsing he did not hear about the recruitment process, he filed an RTI application dated 26th August, 2010 seeking the status of his application. The same was replied to by the Bank vide reply dated 28th September, 2010 stating that the call letter with regard to the application for the post of sweeper has to be delivered in October, 2010.

6. Challenging the said reply, the Petitioner preferred an appeal. In its order dated 23rd June 2011, the Appellate Authority stated that the interview process for the position of part-time sweeper in the Bank was yet to commence. However, the interview of the Petitioner did not take place. The Petitioner, thereafter, filed further RTI applications seeking information regarding the recruitment process but the requisite information was not provided to the Petitioner.

7. Thereafter, the Petitioner filed four fresh RTI applications in January 2020 seeking information about the status of the recruitment process and the Petitioner's job application. In reply it was stated by the Bank that the information sought by the Petitioner was exempted under section 8(1)(j) of the RTI Act, 2005. First appeal against the said decision was preferred however, no response was received by the Petitioner. Therefore, second appeals from all the four RTI applications were preferred to the CIC. The CIC passed a common order dated 30th June, 2022 in all the four second appeals giving the following directions:

“6. The Commission after adverting to the facts and circumstances of the case, hearing both the parties and perusal of records, observed that the respondent during the course of hearing submitted that there was no active recruitment in the bank and the

advertisement in pursuance to which the appellant had applied for the post of part-time sweeper was published in 2011. However, the position mentioned by the respondent was not reflected in their written reply. Moreover, the status of the appellant's application was also not informed by the respondent. In view of the above, the respondent is directed that the RTI applications may be re-visited and appropriate reply/information bringing out the status of this application be given to the appellant within three weeks from the date of receipt of this order. With these observations and directions, the appeals are disposed of."

8. Mr. Amit George, Id. Counsel appearing for the Petitioner submits that the CIC order is not being implemented by the Bank. Despite further representation being made by the Petitioner, the information sought is not being provided.

9 Upon a perusal of the order of the CIC, it is clear that the Bank has to revisit the applications of the Petitioner seeking status of the Petitioner's job application, and give proper reply/information.

10. Accordingly, it is directed that in terms of the CIC's order dated 30th June, 2022, the information shall be provided by the Bank to the Petitioner within 30 days, failing which the Petitioner is free to take action in accordance with law against the concerned CPIO.

11. The petition is disposed of in the above terms.

12. Copy of this order be sent to Mr. Sanjeev Sagar, Id. Counsel, [M: 9811016162] who appears for the Union Bank of India, for onward communication to the Bank.

**PRATHIBA M. SINGH
JUDGE**

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