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

+ **W.P.(C) 5108/2024**

RAJEEV

..... Petitioner

Through: Mr. Deepak Biswas and Ms. Varsha
Agarwal, Advocates.

versus

SUB-REGISTRAR-I KASHMIRI GATE DELHI Respondent

Through: Mr. Karn Bhardwaj, ASC with Mr.
Shubham Singh and Mr. Rajat Gaba,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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08.04.2024

CM APPL. 20937/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 5108/2024

1. The present Writ Petition has been filed by the Petitioner seeking enforcement of the Order dated 14.12.2023, passed by the Central Information Commission. The CIC vide the impugned Order has disposed of the appeal filed by the Petitioner and has observed as under:

“Decision:

At the outset the Commission expresses severe displeasure against the concerned CPIO for his conduct by neither attending the hearing in person nor deputing an officer who is immediate junior to him. Accordingly, the Commission admonishes the CPIO for



his casual approach by sending a Junior Assistant to attend the hearing who is completely unprepared and unaware of the facts of the instant case. In future if the CPIO cannot attend the hearing due to the some urgency, the CPIO is advised to make appropriate submissions before the Commission prior to the date of hearing and depute only responsible and senior officials who can assist in the hearing and avoid vitiating the proceedings. Hence, the concerned CPIO is being warned on this count and the Commission advises the concerned CPIO not to repeat the same in future. Be that as it may, after hearing both the parties and considering the factual background of the case, the Commission takes an adverse view of the fact that even after the direction passed the First Appellate Authority vide order dated 15.11.2022, the CPIO did not take any initiative to send a proper response to the Appellant. The Respondent is advised to be more proactive in future while handling RTI matters and readily provide information to the information seekers Hence the Respondent is directed to provide a revised reply furnishing accurate information to the Appellant within four weeks of receipt of this order and a compliance report in this regard should be submitted before this Commission by 30.01.2024.

The present CPIO is further directed that while complying with the directions of the Commission, all the personal information/identifying particulars of any third parties should be adequately redacted/blackened out. The Commission further directs the present CPIO that no information shall be disclosed to the Appellant which is exempted from disclosure under the provisions of Section 8 and 9 of the RTI Act.”

2. Section 20 of the Right to Information Act, 2005 gives adequate powers to the CIC to enforce its directions by imposing penalties. It is open



for the CIC to stated that despite passing orders there is a wilful default on the part of the CPIO and thereby penalty can be imposed on the CPIO to the tune of Rs.250/- each day till application is received or information is furnished not exceeding twenty-five thousand rupees.

3. In view of the above, it is open for the Petitioner to approach the CIC by filing an application for enforcement of the Order dated 14.12.2023.

4. As and when and if and when such an application is filed by the Petitioner, the CIC is directed to dispose of the said application as expeditiously as possible.

5. With these directions, the Writ Petition is disposed of along with the pending applications.

6. It is made clear that this Court has not made any opinion of the merits of the case.

7. Liberty is granted to the Petitioner to approach this Court if need arises in future.

SUBRAMONIUM PRASAD, J

APRIL 8, 2024

Rahul