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

\+ W.P.(C) 276/2025

ANIL BABBAR .....Petitioner

Through: Mr. Akhil Krishan Maggu, Mr. Vikas Sareen, Mr. Ayush Mittal, Ms. Maninder Kaur, Ms. Oshin Maggu, Advs.

versus

CENTRAL INFORMATION COMMISSION & ORS.....Respondents

Through: Mr. Santosh Kumar Rout, SC, Ms. Dhrana Veragi, Mr. B.N. Mishra, Advs. for R-2, 3 and 4.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

<u>O R D E R</u>

% **10.02.2025**

1. *Vide* order dated 10.01.2025 passed by this Court, it was, *inter-alia,* recorded as under:

> "*3. The present petition seeks compliance with the directions contained in the order dated 05.11.2024 of Central Information Commission. The operative portion of the said order is as under:-*
>
> > *"Now, therefore,* ***<u>the CPIO is directed to revisit the matter and provide a reply to the Appellant incorporating the readily available information and alternatively, if deemed conducive, the Appellant may also be offered an inspection of the available records on a mutually decided date & time and be provided with copies of documents as desired during the inspection, free of cost.</u>***
> >
> > *In doing so, the CPIO is accorded the limited liberty to invoke Section 10 of the RTI Act albeit sparingly for denying only such contents which squarely stand exempted under any of the exemptions of Section 8 of the RTI Act while also specifying and justifying the invocation of the relevant exemption while also having regard to Section 22 of the RTI Act.* ***The CPIO is***

cautioned to ensure against callous interpretation and invocation of Section 8 exemptions in the future to cause prima-facie deliberate denial of information to the RTI Applicants."

4. Learned counsel for respondent nos.2 to 4 submits that the requisite compliance shall be done latest within a period of thirty days from today.
5. List for reporting compliance on 10.02.2025."

2. During the course of proceedings, learned counsel for the respondent nos.2 to 4 has handed over a letter dated 06.02.2025, addressed to the petitioner, which reads as under:

" *Date: 06.2.2025*

To
Sh. Anil Babbar,
S/o – Late C.D. Babbar,
D-287, Secto-47,
Noida (UP)
Pin – 201304
Mob.

Sir,

Sub: Regarding providing information in compliance of order passed by Hon'ble Central Information Commission

Ref: Second appeal no.CIC/PNBNK/A/2023/110941 dated 05.11.2024

Your attention is invited to the order dated 05.11.2024 passed by Hon'ble Central Information Commission in the appeal under reference.

You had filed an application dated 07.10.2022 under Right to Information Act seeking following information:

*"**Please provide us all the original and revised internal risk rating sheets generated / complied by the Bank from 18.03.2013 till date with full calculation chart / parameters applied / modalities adopted and objective / subjective input data related to our firm entered / considered in the processing of the internal risk ratings.**"*

The said application was disposed of by the CPIO vide order dated 23.12.2022 declining to provide the information under Section

8(1)(d) of the RTI Act. The decision of the CPIO was reiterated by the first appellate authority in the appeal filed by you.

Being aggrieved by the order passed CPIO & First Appellate Authority, you had filed appeal before Central Information Commission.

Hon'ble CIC has vide order dated 05.11.2024, directed the CPIO as under:

*"**CPIO is directed to revisit the matter and provide a reply to the appellant incorporating the readily available information and alternatively, if deemed conducive, the Appellant may also be offered an inspection of the available records on a mutually decided date & time and be provided with copies of documents as desired during the inspection, free of cost.**"*

After going through the RTI application filed by you and the order passed by Hon'ble CIC, we provide you the information as is available in our record informing you as under:

1. The guidelines as issued by Reserve Bank of India and government including non-special credit rating directives, provides that the credit rating is determined by a number of variables including financial evaluation, business industry evaluation, management evaluation and conduct evaluation. Carrying the highest weight in the risk rating process, financial evaluation plays a vital role for determining the credit risk rating. Since the firm's financial performance between 2014-15 and 2015-16 was abhorrent, there was a consequential decline in the credit risk rating and the intesrs code was updated by system without there being manual intervention. The balance sheet and statement of account reflecting the conduct of account and financial of the firm, is being provided for your reference. The relevant guidelines may be downloaded from https://www.rbi.org.in.

2. The credit risk rating awarded to your firm and reasons for the decline has been communicated to you at the time of review & revision of rating in the account. Your attention is invited to letter dated 06.03.2021 and 24.03.2023 in this regard.

3. The credit risk rating model considers the following broad areas in evaluating the default risk of a borrower:

Sr. No.	*Areas*	*Weightage*
A.	*Financial Evaluation*	*42%*

B.	*Business Evaluation*	*20%*
C.	*Management Evaluation*	*25%*
D.	*Conduct Evaluation*	*13%*

4. Agitating the same issue, you have filed a complaint before National Consumer Disputes Redressal Commission (CC/239/2022) which is sub-judice pending adjudication.

This is for your information.

Thanking you,

Rajesh Kumar Sharma
CPIO."

3. After some hearing, it is agreed that the respondent nos.2 to 4 would also supply to the petitioner a copy of the risk assessment report / evaluation report (reflecting the evaluation on the touchstone of parameters set out in paragraph-3 of the aforesaid communication) to the petitioner within a period of four weeks from today. While supplying the aforesaid information / document/s to the petitioner, the respondent nos.2 to 4 shall be at liberty to redact any portion thereof which contains any sensitive information which pertains to the respondents/ bank, and which is in the nature of proprietary / confidential information.

4. No further directions are required to be passed in the present petition. The same is, accordingly, disposed of.

SACHIN DATTA, J

FEBRUARY 10, 2025/cl