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

+ **W.P.(C) 5195/2025**

RAJPAL SINGH

.....Petitioner

Through: Mr. Arpit Bhargaa, Mr. Sarthak
Sharma and Mr. Tushar Singh,
Advocates.

versus

SDM THROUGH CPIO

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

23.04.2025

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1. The present petition raises a grievance as regards the non-compliance of the order dated 18.08.2023 passed by the CIC, and subsequent partial denial of requisite information by the respondent.
2. The present petition has been filed in the backdrop of an RTI application dated 10.12.2019.
3. It is averred in the petition that since the Public Information Officer of respondent failed to respond to the aforesaid information sought by the petitioner, the first appeal was filed by the petitioner on 27.04.2022 before the First Appellate Authority (hereinafter referred to as '*the FAA*'). It is further averred in the petition that since the FAA also failed to pass an order, the petitioner was constrained to file the second appeal on 19.12.2022 before the Central Information Commission (hereinafter referred to as '*the CIC*').
4. *Vide* impugned order dated 18.08.2023, the CIC directed the concerned CPIO to furnish point wise correct information to the petitioner along with the documents. The said order reads as under:

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“Keeping in view the facts of the case and the submissions made by both the parties, the Commission directs the CPIO to re-examine the RTI Application and furnish point wise, correct information to the Appellant along with the documents, in accordance with the spirit of transparency and accountability as enshrined in the RTI Act, 2005 within a period of 21 days from the receipt of this order under the intimation to the Commission. The respondent may redact the personal information of the third parties.

Further the Commission observes that the Respondent authority has ignored the principle that "justice delayed is justice denied" by not providing any information to the Appellant. Therefore the Commission instructs the then CPIO to show-cause why action should not be taken against him for this misconduct and negligence which constitutes serious violation of the provisions of the RTI Act and also directs him to explain why a penalty of Rs. 5000/- should not be imposed on him as per Section 20(1) and disciplinary proceedings under Section 20(2) of the RTI Act, 2005 should not be initiated against him/her for not appearing before the Commission and for not responding to the RTI application to the Appellant under the RTI Act, 2005, within 30 days from the date of receipt of this order.

The Appeal stands disposed accordingly.”

5. It is further averred in the petition that despite passing of the aforesaid direction/s to furnish complete point wise information, the CPIO has only provided an incomplete and vague information on 23.08.2023, and has accordingly failed to comply with the directions of the CIC.
6. A perusal of the queries raised by the RTI applicant reveals that some of them are in the nature of a critique/ comment on the part of the RTI applicant, rather than any request for information *per se*.
7. Nevertheless, since it is brought out that the petitioner has already approached the CIC vide a letter / representation dated 16.02.2025 regarding non-compliance of their order dated 18.08.2023, the present matter is disposed of with a direction to the CIC to consider the same and pass appropriate orders.

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

APRIL 23, 2025/at, kg

SACHIN DATTA, J

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