



2025:DHC:10997



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 04.12.2025+ W.P.(C) 8259/2019 and CM APPL.34258/2019

VARUN KRISHNA

.....Petitioner

Through: Mr. Apoorv Singhal, AOR, Mr. Tanuj Aggarwal, Mr. R. Venkatraman, Mr. Alok Kumar and Mr. Ashfaq Sheikh, Adv.

versus

CENTRAL INFORMATION COMMISSION & ORS.....Respondents

Through: Ms. Arunima Dwivedi (CGSC) along with Ms. Monalisha Pradha, Mr. Ami Dutta, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. The present petition has been filed by the petitioner assailing the order dated 25.06.2019 passed by the Central Information Commission (CIC) which *inter alia* directs as under:-

"In the context of the aforesaid observations, Commission does not find it expedient to afford any further opportunity of hearing in the instant case as well similar cases of the Complainant that may be pending with the Commission.

As regards the merits of the instant case is concerned, Commission observes that the CPIO has erred in not providing specific information with respect to the action taken on the email referred in the RTI Application. In other words, CPIO was required to inform the Complainant regarding the action taken on the averred email instead of providing a response on the subject matter of the email after receiving the RTI Application. Nonetheless, Commission does not find any malafide intention on the part of the CPIO, "rather it reflects on his gross non-application of mind. CPIO is hereby warned to remain careful in future. A copy of this order is also marked to the FAA with a direction to ensure that applicants are provided an opportunity of hearing before deciding



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First Appeals in future”.

2. The aforesaid directions have been issued by the CIC in the context of the peculiar circumstances of the case wherein a plethora of RTI Applications, running into several thousands in number have been filed by the same petitioner.

3. During the course of hearing, learned counsel for the respondents have given a list of the pending second appeals. It transpires that as many as 2443 second appeals have been filed by the petitioner.

4. The conduct of the petitioner is a textbook case which illustrates systematic misuse of the provisions of the RTI Act, 2005. The number of applications submitted by the petitioner is so huge that it has effectively consumed the entire time and resources of the First Appellate Authority and well as that of the CIC. The menace, and the mischief inherent in such conduct has been taken note of by the Supreme Court in the case of ***Central Board of Secondary Education (CBSE) v. Aditya Bandhyopadhyay & Ors.*** (2011) 8 SCC 497 wherein the following observations were made:-

“66. The right to information is a cherished right. Information and right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring in transparency and accountability. The provisions of the RTI Act should be enforced strictly and all efforts should be made to bring to light the necessary information under clause (b) of Section 4(1) of the Act which relates to securing transparency and accountability in the working of public authorities and in discouraging corruption. But in regard to other information [that is, information other than those enumerated in Sections 4(1)(b) and (c) of the Act], equal importance and emphasis are given to other public interests (like confidentiality of sensitive information, fidelity and fiduciary relationships, efficient operation of Governments, etc.).

67. Indiscriminate and impractical demands or directions under the RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities



and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquillity and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising “information furnishing”, at the cost of their normal and regular duties.”

5. Vide order/judgment dated 17.09.014, passed in **Public Information Officer, Registrar (Administration) v. The Central Information Commission and Anr.**, W.P.No.26781 of 2013, a Division Bench of the Madras High Court has observed as under –

28. In fact, the first respondent-Commission itself has deprecated the practice of the second respondent herein in overloading the Registry of this Court by making several queries or complaints one after another and following the same under the RTI Act. Having found that the action of the second respondent in sending numerous complaints and representations and then following the same with the RTI applications; that it cannot be the way to redress his grievance; that he cannot overload a public authority and divert its resources disproportionately while seeking information and that the dispensation of information should not occupy the majority of time and resource of any public authority, as it would be against the larger public interest, the first respondent-Commission clearly erred in passing the impugned order in this Writ Petition, directing the petitioner to furnish the details to the second respondent as well as sending a tabular statement listing all the complaints and representations received from the second respondent.

6. In **Shail Sahni v. Sanjeev Kumar And Ors**, 2014:DHC:708, a Co-ordinate Bench of this Court has observed as under –

“10....This Court is also of the view that misuse of the RTI Act has to be appropriately dealt with, otherwise the public would lose faith and



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confidence in this “sunshine Act”. A beneficent Statute, when made a tool for mischief and abuse must be checked in accordance with law. A copy of this order is directed to be sent by the Registry to Defence and Law Ministry, so that they may examine the aspect of misuse of this Act, which confers very important and valuable rights upon a citizen.”

7. The impugned order takes note of the legal position as enunciated by the Supreme Court in **CBSE v. Aditya Bandhyopadhyay** (supra) and also takes note of the fact that, apart from filing RTI Applications, the petitioner has been indiscriminately sending representations to various Constitutional Authorities as well expressing his apparent lack of faith in justice delivery mechanism. The impugned order also takes note of the legal position and the nuisance caused by the petitioner’s conduct.
8. In the circumstances, no exception can be taken to the conclusion drawn in the impugned order. The present petition is accordingly dismissed. However, it shall be open to the petitioner to forthwith request the CIC to grant him a hearing in the context of any future RTI application, it shall be for the CIC to consider any such request on its own merits.
9. Learned counsel for the petitioner submits that he has counselled his client to refrain from indulging in the aforesaid conduct and to limit the number of RTI Applications being filed by him.
10. The petition is disposed of in the above terms. Pending application also stands disposed of.

SACHIN DATTA, J

DECEMBER 4, 2025/uk