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

+ **W.P.(C) 11852/2023**

RADHEY SHYAM

.....Petitioner

Through: Mr.R.K.Gupta with Ms. Rachna
Agrawal, Advocates

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Himanshu Pathak, SPC along
with Mr. Mohit Gupta, Advs. for R1
to 4.

Ms. Mrinalini Sen with Ms. Aditi
Saxena, Advs. alongwith Mr. Tanuj
Rajput, Asst. Dir. L&B.

Ms. Mrinalini Sen, Adv. for DDA.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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21.04.2026

1. The fundamental grievance raised by the petitioner is with respect to non-compliance by respondents no. 5 and 6-Public Information Officers (**PIOs**), with the directions in order dated 01.03.2023 passed by the Central Information Commission [**CIC**].
2. The petitioner prays that the said respondents be directed to comply with the said order, the CIC be directed to apprise the petitioner of the status of the show cause notice against imposition of penalty on the PIOs.
3. As per the case set up by the petitioner, he had filed an application dated 27.12.2021 under the provisions of the Right to Information Act,



2005, before respondent no. 5-PIO seeking inspection of records pertaining to property bearing no. BM-12, (West), Shalimar Bagh, Delhi 110088. However, upon not receiving the said information, the petitioner preferred a first appeal dated 17.02.2022 before respondent no. 6-PIO. The petitioner, again, did not receive any response with respect to the appeal. Therefore, he preferred an appeal before the CIC, which was disposed of *vide* order dated 01.03.2023.

4. The CIC has directed the respondent-PIOs to provide the requested information within fifteen days. Further, the said respondents have also been directed to show cause against imposition of penalty under Section 20 of the RTI Act, 2005.

5. A perusal of the provision under Section 18(1)(c) and (f) of the RTI Act indicates that the power and functions of Information Commissions include inquiry into complaints with respect to lack of response to requests for access to information within the specified time-limits and other related matters. The said provisions are extracted below, for reference:

“18. Powers and functions of Information Commissions.—(1) Subject to the provisions of this Act, it shall be the duty of the Central Information Commission or State Information Commission, as the case may be, to receive and inquire into a complaint from any person,—

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(c) who has not been given a response to a request for information or access to information within the time limit specified under this Act;

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(f) in respect of any other matter relating to requesting or obtaining access to records under this Act.”

6. The said provision, nowhere, precludes the CIC from taking cognizance of complaints with respect to non-furnishing of information by PIOs pursuant to its directions. In fact, a plain reading of the same would empowers the CIC to take action in case of non-compliance with its



directions to furnish information as required under the RTI Act, 2005. Reference may be made to the decision of this Court in ***Ram Kumar Aggarwal v. Municipal Corporation of Delhi and Ors.***¹ The relevant portion of the decision is extracted below, for reference:

“8. The Court is of the considered opinion that the scheme of the RTI Act, 2005 confers adequate and efficacious powers upon the CIC to not only inquire into complaints relating to non-compliance of its orders, but also to secure enforcement thereof, including by resort to the penal and disciplinary provisions contained under Section 20 of the RTI Act. Once the petitioner has already invoked the jurisdiction of the CIC and has initiated non-compliance proceedings, it would be appropriate that the said statutory authority examines the grievance in its entirety within the framework of Section 18 of the RTI, Act 2005.”

7. Let the petitioner to file a detailed representation before the CIC pointing out specific non-compliances on the part of the respondent-PIOs.
8. Let the CIC to look into those aspects and to pass appropriate order within a period of four months from the date of receipt of the copy of the representation being filed by the petitioner.
9. Accordingly, the writ petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

APRIL 21, 2026

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¹ Order dated 20.04.2026 in W.P. (C) 5241/2026.