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

+ W.P.(C) 16464/2023 and CM APPL. 66300/2023, CM APPL. 23288/2024

CA RAKESH KUMAR GUPTA

.....Petitioner

Through: Petitioner in person.

versus

CPIO DIRECTORATE OF PROSECUTION

.....Respondent

Through: Mr. Abhinav Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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07.01.2026

1. The petitioner seems to be aggrieved by the non-processing of the full information as directed by the Central Public Information Officer (CPIO).
2. It is the case of the petitioner that vide order dated 05.09.2022, the first appellate authority had upheld the order of the CPIO, whereas, in second appeal, the Central Information Commission (CIC) directed the respondent to furnish the information within 21 days of the order dated 21.06.2023.
3. The petitioner, therefore, submits that though the respondent has furnished the information, but the same is not satisfactory and hence the instant petition has been filed.
4. If the provisions of Section 20 of the Right to Information Act, 2005 (*hereinafter* 'the RTI Act') are perused, the same would clearly indicate that the Central Information Commission or the State Information Commission,



as the case may be, is fully empowered to deal with grievances relating to disclosure of incomplete, misleading, or incorrect information by the authorities. For the sake of clarity, Section 20 of the RTI Act is extracted as under:

“(1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:

Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him:

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer, as the case may be.

(2) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall recommend for disciplinary action against the Central Public Information Officer or the State Public Information Officer, as the case may be, under the service rules applicable to him.”

5. In view thereof, the petitioner is directed to approach the concerned authority for exercise of provisions of Section 20 of the RTI Act. If the



petitioner does so, the concerned authority shall take the grievance of the petitioner to its logical end with due expedition.

6. With the aforesaid, the petition, along with pending application, stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 7, 2026

aks/amg