

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/HCDEL/A/2022/621754**

Shri Ateet Bansal

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO  
Delhi High Court

...प्रतिवादीगण / Respondent

Date of Hearing : 12.07.2022

Date of Decision : 13.07.2022

**Chief Information Commissioner : Shri Y. K. Sinha**

**Relevant facts emerging from appeal:**

RTI application filed on : 19.02.2022  
PIO replied on : 24.02.2022  
First Appeal filed on : 24.02.2022  
First Appellate Order on : 22.03.2022  
2<sup>nd</sup>Appeal/complaint received on : 06.04.2022

**Information sought and background of the case:**

The Appellant filed an online RTI application dated 19.02.2022 and the PIO, High Court of Delhi, vide letter dated 24.02.2022 replied as under:-

S. No.	Information Sought	Reply
1.	Please share the total number of cases dismissed by the present Hon'ble Chief Justice of Delhi High Court D.N. Patel post joining as the Chief Justice in Delhi High Court since June 2019 till the latest date.	Statistical data regarding cases "dismissed" in this Court is not maintained separately.

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 24.02.2022. The FAA/Registrar, High Court of Delhi, vide order dated 22.03.2022 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

## **Facts emerging in Course of Hearing:**

The Appellant participated in the hearing through video conference. He stated that although the information of pending and disposed cases is available on the website of various high courts, the same is not available with regard to the Hon'ble High Court of Delhi on its website. The only information that is available on the website of the Hon'ble Delhi High Court is that of the pending and disposed cases of the Delhi District Courts. He further stated that being a law student it was of immense importance to him to have the data of pending and disposed cases of courts to analyse as to why and how there is a sudden increase and decrease in the number of cases. He cited the example of a Law Commission of India report where it was statistically demonstrated as to how strikes of Advocates in Delhi for the period from 31.12.1987 to 30.06.1988 added to the number of pending cases in the Supreme Court.

The Respondent represented by Shri Vikas Saddi, APIO; Shri Sudhir Sachdeva, AR and Ms Shubham Mahajan, Advocate participated in the hearing through video conference. Ms Mahajan stated that the information sought in the RTI application was not available in the form in which it was requested by the Appellant. However, a cumulated data of cases instituted and disposed is available on their website. In addition, case/ filing status, case history, copies of judgements and orders in each case is also available on their website. On being queried by the Commission if month wise data of cases instituted and disposed is available on their website, the Respondent replied in the negative.

## **Decision**

Keeping in view the facts of the case and the submissions made by both the parties, the Commission is of the view that an appropriate response as per the provisions of the RTI Act, 2005 has been provided by the Respondent since only such information that is held and available by a public authority can be provided as per the provisions of the Act. The Commission is cognizant of the observations made by the Hon'ble Supreme Court in the judgement of CBSE and Anr Vs Aditya Bandopadhyay and Ors in 2011 (8) SCC 497 wherein it is observed that there is no obligation on the part of the CPIO to collate and compile records.. However, the Commission advises the PIO, High Court of Delhi u/s 25 (5) of the RTI Act, 2005 to consider uploading cumulative month wise data of cases instituted and disposed on its website for the ease and convenience of all concerned.

With the above observations, the instant Second Appeal stands disposed off accordingly.

**Y. K. Sinha (वाई. के. सिन्हा)**

Chief Information Commissioner (मुख्य सूचना आयुक्त)

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