



\$~ Single Bench-1

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

+ W.P.(C) 4761/2016

UNION OF INDIA

..... Petitioner

Through: Mr.Ruchir Mishra, Advocate with  
Mr.Mukesh Kr.Tiwari, Ms.Reba Jena  
Mishra, Ms.Poonam Shukla,  
Mr.Vipul Pathak and Mr.Ramneek  
Mishra, Advocates.

versus

VANSH SHARAD GUPTA

..... Respondent

Through: Mr.Rishikesh Kumar, ASC with  
Ms.Sheenu Priya, Mr.Sudhir Kumar  
Shukla, Mr.Muhammad Zaid,  
Mr.Sudhir and Mr.Sumit Choudhary,  
Advocates for GNCTD.  
Mr.Ketan Paul, Advocate for  
Mr.Jayant Bhushan, Sr.Advocate  
(Amicus Curiae).

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Date of Decision: 1<sup>st</sup> September, 2023

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

### **J U D G M E N T**

**MANMOHAN, J: (ORAL)**

**CM APPL. 22914/2016**

1. Present application has been filed seeking recall of the order dated 24<sup>th</sup> May, 2016 whereby, in the absence of the learned counsel for the petitioner at the second call, the writ petition was dismissed by way of a speaking order. In the present application, it has been averred that the



counsel of the petitioner could not be present for hearing because he was suffering from a severe eye infection.

2. Keeping in view the said averment, the present application is allowed and the writ petition is restored to its original position.

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3. With consent of parties, the writ petition is taken up for hearing.

4. It is pertinent to mention that the present writ petition has been filed challenging the order dated 04<sup>th</sup> November, 2015 passed by the Central Information Commission (for short 'CIC'), whereby it has directed the petitioner to upload all the latest amended bare Acts and to examine the functionality of its E-mail ID and develop an appropriate RTI filing mechanism. The CIC has also directed the petitioner to pay Rs. 10,000/- under Section 19(8)(b) of the RTI Act to the library of National Law School of India University, Bengaluru.

5. This Court vide order dated 8<sup>th</sup> September, 2016 directed the Secretary, Legislative Department to ensure that Government of India's publications of Bare Acts were easily available. The Court appointed Mr. Jayant K. Bhushan, Senior Advocate as Amicus Curiae in the matter to assist this Court.

6. Thereafter, this Court for the purpose of monitoring the progress called for periodic status reports.

7. In pursuance to the direction of this Court India Code Portal ([www.indiacode.nic.in](http://www.indiacode.nic.in)) has been redesigned and made user-friendly. The website contains all unrepealed Central Acts and State Acts and subordinate legislations, namely, Rules, Regulations, Notifications and Orders, etc., issued under a particular Act. Most of the Ministries/ Departments have



identified their subordinate legislations and have uploaded the relevant documents as PDF in a searchable format on the India Code Portal. Detailed status (as mentioned in the status report dated 23<sup>rd</sup> August, 2023) is reproduced hereinbelow:-

**STATUS OF CENTRAL ACTS AND SUBORDINATE LEGISLATIONS**  
**AS ON 21-08-2023**

Sl. No.	DETAILS	NUMBER	
		Notified	Uploaded
1	Number of Central Acts updated and uploaded in searchable pdf format	903	903
2	Number of repealed Central Acts uploaded		3811
3	Subordinate Legislation uploaded by the Ministries/Departments:	Notified 19577	Uploaded 19120
	(a) Rules	Notified 2945	Uploaded 2858
	(b) Regulations	Notified 1332	Uploaded 1295
	(c) Notifications	Notified 13112	Uploaded 12927
	(d) Ordinances pertaining to Institutions	Notified 236	Uploaded 215
	(e) Statutes	Notified 229	Uploaded 126
	(f) Circulars	Notified 1292	Uploaded 1257
	(g) Orders	Notified 431	Uploaded 422
4	Number of Acts having subordinate legislations		460
5	Number of Acts mapped section wise		438



8. Further, as per the latest status report dated 23<sup>rd</sup> August, 2023, the subordinate legislations have been mapped with relevant sections of the principal Acts. Till date, the total number of Central Acts that have subordinate legislations is 460, out of which mapping of the Act with relevant sections of 438 Acts has been completed and the mapping of the remaining Acts is in process. The Nodal officers of the Central Government have been reminded from time to time with the latest reminder on 10<sup>th</sup> August, 2023. It is stated in the status report that till date 69 Ministries / Departments have furnished completion certificates to the Legislative Department.

9. It is stated that updation and uploading of Central Acts and subordinate legislations is a continuous and ongoing process. As per the status report, there are 903 unrepealed Central Acts including spent Acts which are in force from the year 1836 to 2022 which have been updated and uploaded on the India Code Portal. However, this does not include the Appropriation Acts, Finance Acts, Acts not in force and the Acts passed by the British Parliament.

10. It is also stated that out of 903 Acts currently in force, the Hindi versions of 817 Acts are available with the Correction Section in the Official Language Wing in printed form. It is further stated that as per the scheme of the India Code Portal, all the Central Acts are re-typed and updated from time to time and thereafter uploaded on the website. It is submitted that the infrastructure in the Official Language Wing is not sufficient for the said task.

11. It is stated that there is a different procedure and process for preparation of Hindi text of Central Acts after the same is passed by the



Parliament. In case of English version, the authoritative text in English is introduced in the Parliament in the form of a Bill along with the Hindi translation of the same and after the Bill is passed by the Parliament, it gets the assent of the President and is published in the Official Gazette as a Central Act.

12. It is stated that as per the relevant constitutional and statutory provisions, the preparation of authoritative text in Hindi starts only after the Central Act in English is published in the Official Gazette. The authoritative text in Hindi is sent to the President for her assent for publication in the Official Gazette and thereafter it is sent to Government Press for printing. As per the extant process, a compilation of the Hindi versions of Central Acts is published in the Official Gazette as opposed to the English version, where a single Central Act is published separately in the Official Gazette. As this process takes some time, the availability of Hindi version of Central Acts lags behind the English version by one to two years. The Hindi version of a Central Act can be used for the all official purposes (including the use by the general public) only after it is published in the Official Gazette.

13. The Hindi versions of the Central Acts are available on the website of Legislative Department at [www.legislative.gov.in](http://www.legislative.gov.in) under the heading Official Languages Wing. The link of the same is provided on India Code Portal under the heading Central Acts (Hindi).

14. It is further stated that 3811 repealed Acts from 1834 to 2020 have been uploaded on the India Code Portal and the remaining 450 Acts (approximately) are in the process of being uploaded on the India Code Portal.



15. A hyperlink of the website of Income Tax Department i.e. [www.incometaxindia.gov.in](http://www.incometaxindia.gov.in) has been made available on the India Code Portal for accessing the Rules, Circulars and Notifications etc. made under the Acts administered by them.

16. According to the Union of India, the States have been requested to expedite the updation and uploading of their Acts and subordinate legislations on the India Code Portal in a searchable PDF format after incorporating all the amendments. For this purpose, as per the directions of the Cabinet Secretariat, online training sessions have been provided to all nodal officers of the Departments/Ministries and States/Union territories Governments on 6<sup>th</sup> September, 2022 and 9<sup>th</sup> September, 2022 by the National Informatics Centre (for short 'NIC') in coordination with Legislative Department. Additional training session had been provided to the nodal and other officers of the State Government of Maharashtra on 28<sup>th</sup> October, 2022. The State and UT Governments have also been requested to furnish soft copies of State amendments, if any, made to Central Acts in the Concurrent List to the Legislative Department. The nodal officers of States/Union territories Governments have been reminded from time to time on a regular basis for this purpose.

17. It is stated that thirty State Governments/UTs have taken requisite action in this regard. However, the States/UTs of Arunachal Pradesh, Jharkhand, Mizoram, Punjab, Puducherry and Chandigarh have not yet furnished the State Amendments to Central Acts. It is stated that the process of incorporating all the amendments received from the State Governments/UTs is underway most of them have been uploaded on the India Code Portal. The remaining State Governments / UTs have been



requested to furnish the amendments made by them to the Central Acts in the Concurrent List (in the PDF and in MS-Word format) to the Legislative Department. The present status of uploading of the State Acts and their subordinate legislations on India Code Portal is reproduced hereinbelow:-

States/UTs Report																Annexure-D			
#	Name	No. of Acts		No. of Rules		No. of Regulations		No. of Notifications		No. of Ordinances		No. of Statutes		No. of Circulars		No. of Orders			
		Notified	Uploaded	Notified	Uploaded	Notified	Uploaded	Notified	Uploaded	Notified	Uploaded	Notified	Uploaded	Notified	Uploaded	Notified	Uploaded		
1	Andaman and Nicobar Islands	65	59	57	55	52	42	93	91	0	0	0	0	7	4	3	3		
2	Andhra Pradesh	268	265	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
3	Arunachal Pradesh	140	139	90	86	0	0	148	135	4	4	0	0	2	2	6	6		
4	Assam	1156	1132	58	48	0	0	0	0	0	0	0	0	0	0	0	0		
5	Bihar	233	232	4	4	1	1	0	0	0	0	0	0	1	0	0	0		
6	Chandigarh	317	317	191	191	48	48	277	277	0	0	0	0	0	0	32	32		
7	Chhattisgarh	437	437	469	469	55	55	634	634	14	14	27	27	93	93	105	105		
8	Dadra and Nagar Haveli and Daman and Diu	292	228	154	65	51	49	116	103	0	0	0	0	49	0	22	20		
9	Delhi	144	143	77	77	49	49	1656	1280	3	3	5	5	463	463	383	383		
10	Goa	143	142	101	99	2	1	154	150	1	1	0	0	1	1	26	25		
11	Gujarat	290	280	66	30	4	3	163	133	1	1	0	0	6	5	6	6		
12	Haryana	201	193	99	90	5	5	300	290	0	0	0	0	2	2	0	0		
13	Himachal Pradesh	230	226	84	60	40	40	3	3	5	4	16	16	0	0	5	5		
14	Jammu and Kashmir	140	130	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
15	Jharkhand	184	164	131	91	15	14	439	428	6	4	46	45	8	8	35	35		
16	Karnataka	317	317	471	471	12	12	182	182	102	102	0	0	0	0	0	0		
17	Kerala	337	337	59	34	7	3	52	23	0	0	1	1	0	0	0	0		
18	Ladakh	67	65	0	0	0	0	0	0	1	1	0	0	0	0	3	3		
19	Lakshadweep	11	10	9	7	9	5	2	0	0	0	0	0	0	0	0	0		
20	Madhya Pradesh	346	285	405	376	30	25	871	848	124	108	148	67	114	100	42	38		
21	Maharashtra	312	305	59	58	37	37	276	252	10	10	10	10	2	2	10	10		
22	Manipur	221	221	16	16	0	0	5	5	2	2	0	0	0	0	0	0		
23	Meghalaya	103	103	27	27	0	0	7	7	2	2	0	0	0	0	0	0		
24	Mizoram	113	110	2	1	0	0	21	17	1	1	0	0	0	0	6	5		
25	Nagaland	227	225	0	0	0	0	0	0	2	2	0	0	0	0	0	0		
26	Odisha	387	344	1191	39	8	3	137	124	0	0	1	1	50	6	103	4		
27	Puducherry	104	104	37	37	1	1	5	5	0	0	0	0	0	0	0	0		
28	Punjab	322	292	264	252	39	35	611	579	11	8	4	2	18	14	49	46		
29	Rajasthan	459	458	309	288	21	6	656	651	8	8	3	3	79	79	12	12		
30	Sikkim	212	128	10	7	2	1	0	0	0	0	0	0	0	0	0	0		
31	Tamil Nadu	340	303	320	306	53	37	138	104	92	8	74	16	24	2	28	19		
32	Telangana	289	288	47	42	1	1	4	3	0	0	0	0	0	0	0	0		
33	Tripura	178	162	199	109	8	8	365	357	0	0	6	6	93	93	55	54		
34	Uttarakhand	281	281	9	9	1	0	1	1	0	0	0	0	0	0	0	0		
35	Uttar Pradesh	325	322	244	228	32	29	1136	1110	6	6	10	9	1414	1414	239	214		
36	West Bengal	751	751	34	34	0	0	1070	1070	0	0	0	0	0	0	0	0		
	<b>Total:</b>	<b>9942</b>	<b>9498</b>	<b>5293</b>	<b>3706</b>	<b>583</b>	<b>510</b>	<b>9522</b>	<b>8842</b>	<b>395</b>	<b>289</b>	<b>351</b>	<b>208</b>	<b>2426</b>	<b>2288</b>	<b>1170</b>	<b>1025</b>		



18. As per the status report, the certificates that have been received from the States/UTs is below:-

Sl. No.	State/UTs	Remarks
1	Delhi	Completed.
2	Gujarat	Acts uploaded and Partial subordinate legislations are under process
3	Telangana	Acts uploaded and Partial subordinate legislations are under process
4	Orissa	Acts uploaded and Partial subordinate legislations are under process
5	Tripura	Acts uploaded and Partial subordinate legislations are under process
6	Arunachal Pradesh	Completed.
7	Meghalaya	Acts uploaded and Partial subordinate legislations are under process
8	Tamil Nadu	Under process.
9	Karnataka	Completed.
10	Chhattisgarh	Completed.
11	Chandigarh	Completed.
12	Uttar Pradesh	Most of the data is uploaded and remaining is under process.
13	Rajasthan	Most of the data is uploaded and remaining is under process.
14	Andaman & Nicobar	Completed.

19. The India Code website is accessible nationally and globally on mobile, desktop and tablet. According to the status report, the India Code website has 17,736,478 users across the world, 72,353,698 hits for website and 71,679,261 pageviews.





20. In view of the above, this Court is of the opinion that the Petitioner has not only complied with the directions contained in the impugned order but has gone much beyond it. Consequently, the cost imposed by the CIC by way of the impugned order is waived.

21. This Court places on record its appreciation for the services rendered by the learned Amicus Curiae, Mr. Jayant Bhushan, Senior Advocate and Mr. Abhijat and Mr. Ketan Paul, Advocates.

22. The Secretary, Legislative Department, Ministry of Law and Justice is directed to periodically monitor the status of uploading the Acts on the India Code portal and ensure that the process is completed seamlessly and in a time-bound manner.

23. With the aforesaid direction, the present writ petition stands disposed of.

**MANMOHAN, J**

**SEPTEMBER 1, 2023**  
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