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# Court Decisions on RTI



[decisions, court](#)

Sl	Case Name	Description	Downloads
1.	Thalappalam Coop. Vs State of Kerala	Co-operative society registered under the Kerala Co-operative Societies Act, 1969 does not fall within the definition of "public authority" under Section 2(h) of the <a href="#">Right to Information Act, 2005</a> as they are not owned, controlled or <a href="#">substantially financed</a> by the appropriate Government.	<a href="#">Download</a>
2.	ICAI Vs Shaunak H.Satya	ICAI will have to disclose standards of 'moderation', drawn up with reference to its own experiences and the nature and scope of the examinations conducted by it	<a href="#">Download</a>
3.	CBSE and Anr. Vs Aditya Bandopadhyay	Examining bodies to permit examinees to have <a href="#">inspection</a> of their answer books	<a href="#">Download</a>
4.	P.C. Wadhwa Vs Central Information Commission	RTI Act does not have the effect of either abrogating or repealing all other enactments dealing with furnishing of information to an information seeker. The over-riding effect of <a href="#">RTI Act</a> is only to the extent of inconsistency <a href="#">CIC decision</a>	<a href="#">Download</a>
5.	UPSC Vs Shiv Shambu		<a href="#">Download</a>
6.	Directorate of Enforcement Vs Arun Kumar Agrawal		<a href="#">Download</a>

SI	Case Name	Description	Downloads
7.	Khanapuram Gandaiah Vs Administrative Officer	No litigant can be allowed to seek information as to why and for what reasons the judge had come to a particular decision or conclusion. A judge is not bound to explain later on for what reasons he had come to such a conclusion. A judicial officer is entitled to get protection and the object of the same is not to protect malicious or corrupt judges, but to protect the public from the dangers to which the administration of justice would be exposed if the concerned judicial officers were subject to inquiry as to malice, or to litigation with those whom their decisions might offend.	<a href="#">Download</a>
8.	Girish Ramchandra Deshpande .Vs. CIC	The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. <a href="#">Supreme Court</a>	<a href="#">Download</a>
9.	CIC Vs State of Manipur	Sections 18 and 19 of the Act serve two different purposes and lay down two different procedures and they provide two different remedies. One cannot be a substitute for the other	<a href="#">Download</a>
10.	Manohar Manikrao Anchule Vs State of Maharashtra	Adherence to the principles of natural justice is mandatory for Tribunals or bodies discharging Quasi-Judicial functions. Principles of natural justice have to be read into the provisions of Section 20(2).	<a href="#">Download</a>
11.	Namit Sharma Vs Union of India (Review Judgment)	Section-12(5) and 15(5) are not ultra vires the Constitution & do not debar a Member of Parliament or Member of the Legislature of any State or Union Territory, or a person holding any other office of profit or connected with any political party or carrying on any business or pursuing any profession from being considered for appointment as Chief Information Commissioner or Information Commissioner, but after such person is appointed as Chief Information Commissioner or Information Commissioner, he has to discontinue to hold any other office of profit, remain connected with political party or carry on any business or pursue any profession while functioning as Chief Information Commissioner or Information Commissioner	<a href="#">Download</a>
12.	Union Of India Thr. Director vs Central Information Commission & ors. WRIT PETITION (CIVIL) NO. 8396 OF 2009	Reference: ' <b>information which cannot be denied to Parliament cannot be denied to him</b> '. The purpose is only to clarify that while deciding the question of larger public interest i.e., the question of balance between 'public interest in form of right to privacy' and 'public interest in access to information' is to be balanced. <b>The proviso is a guiding factor and not a substantive provision which overrides Section 8(1)(j) of the RTI Act. It does not undo or rewrite Section 8(1)(j) of the RTI Act and does not itself create any new right.</b>	<a href="#">Download</a>
13.	Union Of India And Ors vs Adarsh Sharma on 9 October, 2013	If an information of the nature sought by the respondent is easily available with the Intelligence Bureau ( <b>Exempted Organisation</b> ), the agency would be well-advised in assisting a citizen, by providing such an information, despite the fact that it cannot be accessed as a matter of right under the provisions of Right to Information Act	<a href="#">Download</a>

SI	Case Name	Description	Downloads
14.	R.K Jain vs. Union of India [SLP (C) No.22609 of 2012]	Importance of Section 11 of the RTI Act- Hon'ble Supreme Court	<a href="#">Download</a>
15.	J.P. Agrawal vs Union Of India & Ors. on 4 August, 2011	Duties and responsibilities of PIO vis-a-vis deemed PIO	<a href="#">Download</a>
16.	Delhi High Court, Mujibur Rehman vs Central Information Commission on 28 April, 2009	Information seekers are to be furnish what they ask for and are not to be driven away through filibustering tactics	<a href="#">Download</a>
17.	Reserve Bank of India Vs Jayantilal Mishra on 16-Dec-2016	An information required by mandate of law to be provided to an authority, cannot be said that such information is being provided in a fiduciary relationship. The Financial institutions have an obligation to provide all the information to RBI and such an information shared under an obligation/duty cannot be considered to come under the purview of being shared in fiduciary relationship. RBI does not place itself in a fiduciary relationship with Financial institutions because, the reports of inspections, statements of bank, information related to business obtained by RBI are not under the pretext of confidence or trust. Neither RBI nor Banks act in the interest of each other.	<a href="#">Download</a>
18.	Kerala Public Service Commission Vs Kerala State Information Commission on 04-Feb-2016	The request of information seeker about information of his answer sheets and details of interview marks can be and should be provided to him. However, names of evaluators of Answer Sheets are held in fiduciary relationship and should not be supplied to information seekers.	<a href="#">Download</a>
19.	Nisha Priya Bhatia Vs Ajit Seth & Ors on 06-May-2016	Inquiry Report drawn and submitted by the Committee constituted to inquire into allegations of Sexual Harassment of Woman in workplace, including the evidences and relied upon material, is required to be disclosed to the Complainant women.	<a href="#">Download</a>
20.	Karnataka Information Commission Vs SPIO & Anr on 18-Jan-2013	Published materials should be obtained from market and Proceedings of Court Case should be obtained as per Court Rules. KIC has no locus to file SLP. Imposed exemplary fine of Rs.1,00,000/- for filing frivolous petition	<a href="#">Download</a>

## High Court RTI Decisions

- [Adesh Kumar Vs UOI and others in Delhi High Court.](#)
- [The Registrar, Supreme Court Of India versus Commodore Lokesh K. Batra And Ors](#)
- [Union of India Vs Praveen Gupta dated 20-02-2014 \(HC of Delhi\)](#)
- [The Commissioner \(Appeal\) of Central Excise and Service Tax, Ranchi Vs Central Information Commission and Anr. dated 11-07-2011 \(Division Bench of HC of Jharkhand\)](#)

5. [The Board of Management of the Bombay Properties of the Indian Institute of Science Vs Central Information Commission and Ors. dated 11-10-2010 \(HC of Bombay\)](#)
6. [Union of India Vs Balendra Kumar dated 29-09-2010 \(HC of Delhi\)](#)
7. [Commissioner Kendriya Vidyalaya Sangathan Vs Santosh Kumar dated 01-09-2010 \(HC of Delhi\)](#)
8. [Union of India Vs Sunita Dahat dated 18-08-2010 \(HC of Delhi\)](#)
9. [IFCI Ltd Vs Ravinder Balwani dated 17-08-2010 \(HC of Delhi\)](#)
10. [KRIBHCO Vs R.C. Bawa, NAFED Vs B.M. Verma and NCCF Vs R.M. Prasad \(in r/o 3 Writ Petitions\) dated 14-05-2010 \(HC of Delhi\)](#)
11. [S.M. Lamba Vs S.C. Gupta and Anr. dated 04-05-2010 \(HC of Delhi\)](#)
12. [Indian Railway Welfare Organisation Vs D.M.Gautam and Anr. dated 03-05-2010 \(HC of Delhi\)](#)
13. [National Stock Exchange of India Ltd Vs Central Information Commission and Ors. dated 15-04-2010 \(HC of Delhi\)](#)
14. [Manish Kumar Vs PIO and Anr. dated 07-04-2010 \(HC of Delhi\)](#)
15. [Union of India Vs Central Information Commission and Ors. dated 15-02-2010 \(HC of Delhi\)](#)
16. [Supreme Court of India Vs Subhash Chandra Agarwal dated 12-01-2010 \(Division Bench of HC of Delhi\)](#)
17. [Union of India \(Min of Personnel\) & Ors Vs Central Information Commission and Ors. \(in r/o 8 Writ Petitions\) dated 30-11-2009 \(HC of Delhi\)](#)
18. [M.Kaliaperumal Vs Central Information Commission and Ors. dated 18-11-2009 \(HC of Madras\)](#)
19. [Poorna Prajna Public School Vs Central Information Commission and Ors. dated 25-09-2009 \(HC of Delhi\)](#)
20. [Supreme Court of India Vs Subhash Chandra Agarwal and Anr. dated 02-09-2009 \(HC of Delhi\)](#)
21. [Union of India Vs Central Information Commission and Anr. dated 12-08-2009 \(HC of Delhi\)](#)
22. [ICAI Vs Central Information Commission and Anr. dated 30-04-2009 \(HC of Delhi\)](#)
23. [Union Of India \(Passport Office\) Vs Central Information Commission and Ors. dated 16-04-2009 \(HC of Delhi\)](#)
24. [Col. Rajendra Singh Vs Central Information Commission and Anr. dated 20-03-2009 \(HC of Delhi\)](#)
25. [Vandana Mittal Vs Central Information Commission and Ors. dated 02-03-2009 \(HC of Delhi\)](#)
26. [Rajeev Verma Vs Union Of India and Anr. dated 24-02-2009 \(HC of Delhi\)](#)
27. [Prakash R Shenai Vs Union of India and Ors. dated 09-06-2008 \(HC of Bombay\)](#)
28. [V.B. SANTHOSH Vs Chief Information Commissioner and Ors. dated 29-02-2008 \(HC of Kerala\)](#)
29. [Ramesh Sharma and Anr. Vs The State Information Commission and Ors. dated 08-02-2008 \(HC of Punjab & Haryana\)](#)
30. [Bhagat Singh Vs Chief Information Commissioner and Ors. dated 03-12-2007 \(HC of Delhi\)](#)
31. [UPSC Vs Central Information Commission and Ors. dated 17-04-2007 \(HC of Delhi\)](#)
32. [PPSC Vs Rajiv Kumar Goyal dated 29-01-2006 \(HC of Punjab & Haryana\)](#)
33. [Rahul Keshwari Vs CIC dated 05-04-2016. Petitioner has efficacious alternate remedy of filing application before trial court for production of documents and cross exam of witness. \(Delhi High Court\)](#)
34. [S.D.Windlesh Vs CIC dated 24-11-2015. Information not maintained is not required to be collated and supplied \(Delhi High Court\)](#)
35. [B.S. Mathur Vs CIC dated 03-06-2011 - Impede the process of investigation Sec-8\(1\)\(h\) \(Delhi High Court\)](#)
36. [M/s Silky Vs SIC - RTI Application seeking monthly turnover and tax paid by the Assessee, filed before the authority, cannot be rejected claiming exemption under Sec-8\(1\)\(d\) and 8\(1\)\(j\) \(Kerala High Court\)](#)
37. [Datti Kameswari Vs Singam Rao Sarath Chandra dt 11/12/2015 - True copies of private documents certified by PIO are admissible as evidence only after fulfilling conditions under clauses \(a\) \(b\) or \(c\) of Section 65 of the Evidence Act. However, true copies of public documents certified by PIO can be taken as certified copies of the public documents. \(AP High Court \)](#)

38. [Vilas Ramrao Dighe Vs SIC dt 27-01-2014](#) - The State Information Commission shall necessarily comprise at least two members. SIC decision Imposing penalty quashed. (Bombay High Court )
39. [Sanjay Hidwan Sharma Vs SIC dt 24-08-2012](#) - There is no provision in the Act which empowers the Information Commission either to reduce or enhance the penalty mentioned in Section-20 . If the Commission comes to the conclusion that there is reasonable grounds for delay or the PIO concerned satisfactorily explained the delay, then no penalty can be imposed. However, once the commission comes to the conclusion that the penalty has to be imposed, then the same must be at the rate of Rs.250/- per day and not at any other rate at the whims and fancy of the Commission. (Himachal Pradesh High Court )
40. [Chander Kanta Vs SIC dt 19-05-2016](#) - The Information Commission having held that PIO is responsible for 100 days delay in supplying information, cannot let off the PIO by issuing mere warning. IC shall either impose penalty or decide no penalty. SIC decision not imposing penalty quashed. (Punjab & Haryana High Court )
41. [Dr. Nazrul Islam vs State Of West Bengal & Ors dt 31 August, 2016](#) - It is the Department who has to compensate a citizen for any loss, detriment or harassment suffered by him by reason of failure of its officers to perform their duty.". The Department cannot claim that "responsibility and liability should be fixed only on its officers" (Calcutta High Court )
42. [UOI-Ministry of External Affairs Vs R. Jayachandran & Ors dt 19 Feb, 2014](#) - Passport details of third parties are not disclosable under RTI ( Delhi High Court )
43. [Escorts Ltd Vs Rakesh Kumar Gupta & batch petitions - Income Tax Returns exempted from disclosure](#) - The information as disclosed in the income tax returns would qualify as personal information with regard to private companies which are alter egos of their promoters. In cases of widely held companies, most information relating to their income and expenditure would be in public domain and the confidential information would be exempt from disclosure under Section 8(1)(d) of the Act. Even in cases of corporate entities, the income tax returns and other disclosure made to authorities would also include transactions with other parties and those parties can also claim exception under Section 8(1) of the Act. ( Delhi High Court )
44. Compendium of High Court judgement on orders of CIC

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