

**Govt. of NCT of Delhi**  
**DEPARTMENT OF INFORMATION TECHNOLOGY**  
**9<sup>TH</sup> Level, B-Wing, Delhi Secretariat, I.P. Estate,**  
**New Delhi-110002.**

**IT DEPARTMENT ACHIEVEMENTS**  
**(Legal Section)**

(1) The Secretary (IT), Government of NCT of Delhi was notified as the Adjudicating Authority under the Information Technology Act 2000 to adjudicate the complaints U/s 43 of the Information Technology Act 2000. In settling the legal issues the Department of Information Technology is supported by the Legal Adviser appointed on part time basis after following the due process of procedure and sanction. The Department has been receiving complaints and hold adjudication proceedings on Wednesday at 04:00 p.m. So far, following cases have been adjudicated / disposed off:-

- i) M/s RT Outsourcing Services Ltd V/s All India Mobile Service Association & Others.
- ii) Driplex Water Engineering Ltd. V/s Mukesh Aggarwal
- iii) JCT India V/s. Abhinav Gupta
- iv) Mascon Global Ltd V/s N. Thondavadi
- v) Anand Prakash V/s Sh. Subhakant Kr. And Others.

- (2) The Hon'ble Delhi High Court issued special notice to Department of Information Technology in the case titled Mahender Singh Vs. Divisional Commissioner, GNCTD where the petitioner raised the issues regarding delay in the payment of compensation under the Land Acquisition Act. As special notice was issued to the Department, the Legal Adviser of the Department was directed to represent the Department in terms with the mandate of the Hon'ble High Court of Delhi. The Department of IT drafted the rules U/s 55 of the Land Acquisition Act governing all aspect of compensation and payment through electronic mode to the farmers. The copy of the rules was furnished in the proceeding before Hon'ble High Court and the Court appreciating the steps taken by the Government directed to finalize the same within a period of six to eight months. The draft rules were circulated to all concerned Departments and the Department of Law is being requested to vet the said rules whereafter the same shall be processed to legislate.
- (3) The Hon'ble High Court under the project e-Filing invited suggestions from the Department of Information Technology to address the issue of e-Court Fees. The Department submitted a project report which was accepted in principle by the Hon'ble High Court. As the project report included the issue of revision of Court Fees in Delhi also, the

Hon'ble High Court directed the Department of Law to coordinate with the Department of Information Technology and other concerned Departments to take steps to amend the Court Fees structure in Delhi. Under the guidance of Pr. Secretary (Law) a sub-committee was constituted having representation from Department of Law, Information Technology, Department of Finance and Department of Revenue. The sub-committee submitted its final report and the said report was considered by the Pr. Secretary (Law) in a meeting attended by Secretary (IT) and other higher officials of the other Department. As the amendment of Court Fee has now been finalized, the Department of IT is submitting the final report to the Hon'ble Delhi High Court governing the issue of amendment of court fee seeking their formal opinion. The Court Fees structure if amended is likely to yield around Rs. 500 crores revenue which at present is barely Rs. 50 crores.

- (4) As the Secretary (IT) is the Adjudicating Authority under the Information Technology Act which is a quasi judicial authority excluding the jurisdiction of even Civil Court to the extent of the value of Rs. 5 crore, the Department prepared the 'Instructions governing procedure' for the adjudication of the various cases. The said departmental instructions were appreciated even by the Appellate Tribunal (Information Technology) presided over at present by Hon'ble

Mr. Justice Rajesh Tondon, a retired judge. In a seminar held in June 2010 at Delhi in which Adjudicating Officer from all States participated, the copy of the said instructions governing the procedure was circulated with instruction to follow the same as a model.

- (5) The Department of Information Technology also drafted A model Law on sharing and accessing Delhi spatial data to enhance various utilities and services of Govt. of NCT Delhi, which governs the various important aspect of the DSSDI project.
  
- (6) Under the project e-SLA, the Department has prepared a draft rules governing the right of citizen to have time bound citizen related services and liability to pay compensation to the citizen in case of any default in time bound delivery of services. The rules if approved notified would put the Delhi Government as pioneer in the field governing liability of the government servants in case of default in the delivery of services to the citizens in as much as neither the Central Government nor the State Government has so far framed any such analogous rule dealing with compensation to the citizen in case of default of service on the part of the government / government servants. This is in terms with the provision particularly the preamble

and the 'directive principle of State Policy under Part IV' of the Constitution of India.

- (7) Keeping in view of the issue of security, pornographic contents, and the online gambling available easily on the internet, the Department has framed the rules under the title 'A model regulations to control and manage internet information' as per the mandate of Information Technology Act 2000 to prevent / control pornographic contents, online gambling, safety and security on the internet.