

Central Information Commission

Mr.Dharam Vir Singh vs Mcd, Gnet Delhi on 26 August, 2011

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

Old JNU Campus, New Delhi - 110067

Tel: +91-11-26161796

Decision No. CIC/SG/A/2011/00

Appeal No. CIC/SG/A/2

Relevant facts emerging from the Appeal:

Appellant	:	Mr. Dharamvir Singh, C-72/2A, Gali No. 2, Mohan Puri, Mauj Pur, Delhi-110053
Respondent	:	PIO, Municipal Corporation of Delhi Vigilance Deptt. Dr. SPM Civic Centre, 26th Floor, JLN Marg, Minto Road, New Delhi-110002.
RTI application filed on	:	18-04-2011
PIO replied on	:	25-05-2011
First Appeal filed on	:	25-05-2011
First Appellate Authority order of	:	05-07-2011.
Second Appeal received on	:	22-07-2011

Information Sought:

1. Please provide the certified copy regarding the whole proceedings of the above cha with noting drafted by Dy. D.O.I and administrative authority.
2. Please provide the actual name of the C.O/accused & certified copy since joining h
3. Please provide the name of P.O. along with designation.
4. Please provide the name of Dy. D.O.I. Along with designated in MCD.
5. Please provide the issues which were objected in the case.
6. Please provide whether demanded document by the accused from Dy. D.O.I. If provide information, if not provide please provided the cause Reason.
7. Please provide the information regarding reporting officer(10)
8. Whether I/O attended the case proceeding, if not present then reason and action ta
9. Please provide the reason regarding the accused name Dharam Vir Yadav in place of Singh.
10. Please provide whether with the Sur Name "Yadav" will not be harmful in future if reason regarding to the harm to the accused.
11. Please provide whether accused may be in the caste of the "Yadav" in future if no for insisting to the sur name "Yadav".
12. Please provide the reason as taking the objections provided to the Dy. D.O.I By t the name and sur name "Yadav", if not taken in consideration then reason please.
13. Please provide the reason regarding annoyed within whole proceeding in the above sheet and not consider the objections filed.

The PIO Reply:

1. Copy attached.
2. This question pertains to department.
3., Smt Usha Dass, Sh. Naveen Kumar, Sh O.P. Singh.

4. Sh. M.K. Bhardwaj, A0/Dy. DoI-1
 5. In regard this name, appellant had never conjecture so far in regard charge lev
 - Applicant contended that appointment of S.M... to be done by SG and ASI not by
 6. Yes opportunity had been given.
 7. What type of information has been requested by the applicant? This question is no
 8. Yes as per record.
 9. Draft Chargesheet and Performa supplied by the department that the name of appli
 - Dharmender Yadav.
 10. No comment. This question does not fall in the RTI, Act.
 11. No comments, draft charge sheet and Performa supplied by the department speaks
 - applicant is Dharmender Yadav.
 12. As per record, no such type objection raised by the applicant.
 13. This question does not comes under the RTI Act.

Grounds for the First Appeal:

Unsatisfactory reply was given to the appellant by the PIO.

Order of the First Appellate Authority (FAA):

"The appellant filed an appeal dated 25-05-2011 received in the office of the und 05-2011 in respect of his RTI application dated 18-04-2011 received in this office on 26 the course of hearing on 30-06-2011 the appellant stated that he has not received any in PIO/Vig. The PIO/ Vigilance has stated that the report from the legal cell has been rece reply will be sent to the applicant."

Ground of the Second Appeal:

Unsatisfactory information had been provided by the PIO.

Relevant Facts

emerging during Hearing:

The following were present Appellant : Mr. Dharamvir Singh;

Respondent : Absent;

The Appellant admits that he has been sent some information after the order of the FAA. He would now like to inspect the records and take copies of records which he wants.

The PIO is directed to facilitate an inspection of the relevant records by the Appellant on 12 September 2011 from 10.30AM onwards at the office of the PIO. In case there are any records or file which the appellant believes should exist, which are not shown to him, he will give this in writing to the PIO at the time of inspection and the PIO will either give the files/records or give it in writing that such files/records do not exist.

Decision:

The Appeal is allowed.

The PIO is directed to facilitate an inspection of the relevant records by the Appellant on 12 September 2011 from 10.30AM onwards. The PIO will give attested photocopies of records which the Appellant wants free of cost upto 100 pages. This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties. Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi Information Commissioner 26 August 2011 (In any correspondence on this decision, mention the complete decision number.) (SU)