

Central Information Commission

Shri.Raj Kumar Tomar vs Mcd, Gndt Delhi on 19 September, 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

Appeal No. CIC/SG/

Relevant facts emerging from the Appeal:

Appellant	:	Mr. Raj Kumar Tomar F-70/4, Gali No. 3, Subhash Vihar, North Ghonda, Delhi - 110053
Respondent	:	Mr. A. K. Mittal PIO & SE(Proj) Municipal Corporation of Delhi Keshav Chowk, Red Light, Opp. Welcome Metro Station, Delhi
RTI application filed on	:	28/04/2011
PIO replied on	:	25/05/2011
First Appeal filed on	:	03/06/2011
First Appellate Authority order of	:	18/07/2011
Second Appeal received on	:	29/07/2011

The information sought: The Appellant wants to information about:

1. The crude materials have been tested by the department.
2. Please provide the complete test report in made by _____ control department
3. Provide copy of the related work order.
4. Who was the responsible officer for this works?
5. What action has been taken against irresponsible officer?
6. How many Private Schools are recognized by Department in Ward No. 256? Provide School and Address.

The PIO reply:

1. Sewer work has been done by EE Project Div. SH-N-II in Yammuna Vihar Ward No. 256. related to Section.
2. According to the above.
3. According to the above.
4. According to the above.
5. According to the above.
6. Schools have not been recognized by the section. This is related to Delhi Govt.

Grounds for the First Appeal:

The appellant has not received reply from the PIO.

Order of the First Appellate Authority (FAA):

"The main ground for appeal was non receipt of reply from the PIO. Sh. B.L. Sharma, AE p

behalf of PIO states that the said RTI application was sent to SE(Project). PIO i.e. SE to give the reply to the appellant within 10 days from the date of issue of this letter.

Ground of the Second Appeal:

The applicant is not satisfied with the PIO reply and unsatisfactory order was passed by Appellate Authority.

Relevant Facts

emerging during Hearing:

The following were present Appellant : Absent;

Respondent : Mr. A. K. Mittal, PIO & SE(Proj) and Mr. R. K. Gupta, EE(Project);

The PIO shows that he has sent some of the information to the Appellant after the order of the FAA. However the PIO has erred in demanding the additional fees at Rs.2/- per page for some of the information to be provided. As per Section 7(6) of the RTI Act once mandated of 30 days is over the information on has to be provided free of cost, failing which the penalty provisions of Section 20(1) would be applied.

Decision:

The Appeal is allowed.

The PIO is directed to provide the complete information to the Appellant before 30 September 2011.

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 19 September 2011 (In any correspondence on this decision, mention the complete decision number.) (ved)