

CENTRAL INFORMATION COMMISSION

Adjunct to Appeal No.CIC/WB/A/2006/00302

Right to Information Act, 2005 – Section 19

Appellant: Shri Rakesh Aggarwal

Respondent: Deputy Commissioner (Shahdara South Zone), MCD

Order

The MCD, through its PIO, supported by all the respondents in the hearing of the 1st appeal committed vide his letter of 11.9.'06 to provide full information sought by the appellant. The PIO was also directed by us in our Decision Notice of 14.9.'06 to identify all those PIOs and others who were responsible for collating the information from the time that the application was made and they were called:

- (i) To provide the information to the appellant within one month from the date of issue of this order i.e. 14.9.'06; and
- (ii) To show cause as to why a penalty under Section 20(1) should not be imposed on them for having delayed supply of this information beyond the specified time limits specified in Section 7(1).

The Decision Notice of the Commission was duly communicated to the PIO and to the Commissioner, MCD.

2. The Commission has received no report whatsoever either from the PIO or from the public authority even though a reminder has been issued by the Commission on November 26th, 2006. On the other hand, the appellant has informed the Commission about non-compliance of the orders by the CPIO and by the public authority.

3. In view of this, it has become imperative on the part of the Commission to impose penalty on the concerned PIOs for having delayed supply of the information and who have not complied with the directions of this Commission. It is, therefore, necessary to ascertain the PIOs who were responsible for the delay

and are consequently liable for imposition of penalty under Section 20(1) of the Act.

4. The PIO, Shri S.C. Kohli, Deputy Commissioner, MCD (Shahdara South Zone), is directed to furnish on or before 19.01.2007 the names, addresses and the phone numbers of the concerned PIOs who were responsible to provide the information to the appellant and did not do so and hence liable for imposition of penalty as aforesaid. He is also directed to appear on 31.1.2007 at 10.00 A.M. to show cause as to why suitable penal action be not initiated against him for willful disobedience of the orders of this Commission.

5. After receipt of the names and addresses of the PIOs, show cause to all such PIOs will be issued to appear on 31.1.2007 at 10.00 A.M. and to show cause as to why a penalty under Section 20(1) should not be imposed on them for having delayed the information beyond the specified time limits specified in Section 7(1). The Registrar will issue summons to all persons for appearance on the date and time first mentioned hereinbefore.

Notice of this order be given free of cost to the parties.

(Wajahat Habibullah)
Chief Information Commissioner
10.1.'07

Authenticated true copy. Additional copies of order shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(L.C. Singhi)
Addl. Registrar
10th January, 2007