

## **CENTRAL INFORMATION COMMISSION**

(U/S 19 of the Right to Information Act, 2005)

Appeal No. CIC/WB/A/2006/00152

Dated : 22.06.2006

Name of the Appellant : Shri S. K. Ohri, President, Ramjas Marg Area Development & Welfare Association.

Name of the Public Authority : Mr. Ravi Dass, Engineer-in-Chief, Municipal Corporation of Delhi.

### **Facts:**

Sh. S. K. Ohri, President of Ramjas Marg Area Development & Welfare Association (hereinafter referred to as "appellant") requested for copies of certain documents under the Right to Information Act, 2005 on 8<sup>th</sup> Dec. 2005. Although the application was filed under the Right to Information Act, 2005 but concerned CPIO denied the information u/s 6(b) of Delhi Right to Information Act. The appellant was informed that he can file an appeal to the Public Grievance Commission, Government of Delhi as per sec. 7 of the Delhi Right to Information Act, 2005 vide letter no. D/1841/Supdt/Engg/HQ105 dated 29.12.05.

Hence the appellant had to come to the Commission without taking recourse to the first appeal. The concerned Public Authority was sent a copy of the appeal and comments were called for by this Commission vide file no. CIC/A/9/2006 dated 10.03.06. The CPIO and the public authority did not even respond to this. It appears that they are as yet unaware of the fact that the Right to Information Act, 2005 has come into operation.

### **DECISION**

In view of the above stated circumstances, it appears that the public authority has failed to carry out its obligations under the Right to Information Act, 2005 and that the appellant has been denied the information without any reasonable cause.

Since the denial of information was made on 29.12.2005, the said public authority is liable to pay a penalty @ 250 per day subject to a maximum of 25,000. The said public authority is called upon to show cause as to why he be not ordered to pay the penalty @ 250 per day w.e.f. 29.12.05 subject to a maximum of 25,000.

From the facts of the case, it also appears that the concerned public authority namely, Sh. Ravi Dass, Engineer-in-Chief has obstructed the furnishing of the requested information, he is also, therefore, called upon to show cause as to why appropriate disciplinary action be not recommended against him u/s 20(2) of the Right to information Act, 2005.

(Wajahat Habibullah)  
Chief Information Commissioner

Authenticated true copy.

(L.C. Singhi)  
Joint Registrar  
22.06.2006