

**CENTRAL INFORMATION COMMISSION**  
**Club Building, Opposite Ber Sarai Market,**  
**Old JNU Campus, New Delhi - 110067.**  
**Tel: +91-11-26161796**

**Decision No.CIC/SG/A/2009/003215/6676**  
**Appeal No. CIC/SG/A/2009/003215**

**Appellant** : Mr. Anurudh Kumar Yadav  
773, 1<sup>st</sup> Floor, Near Arya Smaj  
Mandir, Lekhu Nagar, Tri Nagar,  
Delhi-110035

**Respondent** : Mr. Arun Kumar  
Public Information Officer &  
Suptnd. Enginner -I,  
**Municipal Corporation of Delhi**  
Shahdara South Zone,  
Karkardooma, Delhi

**RTI application filed on** : 27/02/2009  
**PIO replied** : Not mentioned.  
**First Appeal filed on** : 18/08/2009  
**First Appellate Authority order** : 05/10/2009  
**Second Appeal Received on** : 18/12/2009  
**Notice of Hearing Sent on** : 04/01/2010  
**Hearing Held on** : 03/02/2010

**Information sought:**

Appellant sought following information regarding the complaint dated 03/08/2008 of RWA Defence Enclave, Vikas Marg, Delhi for substandard material while executing the work against work order No. 17 dated 27/08/2007:

1. Whether any action had been taken on the above mentioned complaint by Municipal commissioner & Dy. Commissioner. Shahdara (South)? If yes, the photocopy of what action taken, if no, then reason for not taking action.
2. After filing complaint, whether any test of used material had been done by a believable Lab? If yes, then photocopy of the Lab-report. If no, then reasons for not making Lab-test.
3. Details of standards fixed by MCD for said work of above mentioned tender. Whether work had been done accordingly.
4. What was a conclusion made on above mentioned complaint? Whether any was found guilty. If yes, then what had action been taken against him.

**PIO's Reply:**

Not enclosed.

*Appellant had filed an RTI Application on 27/02/2009 before the PIO, MCD, Town Hall, and the same was forwarded to CE-I, PIO.*

**Grounds for First Appeal:**

Information not provided.

**Order of the First Appellate Authority:**

“The copy of information was provided to the Appellant during hearing. However, it was asked that the quality check of the work was required. SE-I Shah.(N) was directed to inspect the work and provide the details of quality assurance to the Appellant.”

**Grounds for Second Appeal:**

Unsatisfactory reply. Information was not provided after the order of FAA.

**Relevant Facts emerging during Hearing:**

The following were present:

**Appellant:** Mr. Anurudh Kumar Yadav;

**Respondent:** Mr. Arun Kumar, Public Information Officer & Suptnd. Engineer –I;

The Respondent claims that the information was sent on 26/03/2009. The Respondent states that the he has stated that the complaint was not received and hence it was implied that no action has been taken. This should have been clearly stated.

**Decision:**

The appeal is allowed.

The PIO is directed to inform the Appellant that no action has been taken on his complaint referred in the RTI application before 10 February 2010.

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**  
**03 February 2010**

*(In any correspondence on this decision, mention the complete decision number.)<sup>RDJ</sup>*