

CENTRAL INFORMATION COMMISSION
Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.
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Decision No.CIC/SG/A/2010/000185/7040
Appeal No. CIC/SG/A/2010/000185

Appellant : Mr. Rajendra Gupta,
704, G. T. Road,
Shahdara, Delhi-110032

Respondent : Mr. K. C. Bhardwaj
Public Information Officer &
Dy. Commissioner
O/o the Dy. Commissioner,
Municipal Corporation of Delhi,
Najafgarh Zone, New Delhi.

RTI application filed on : 21/10/2009
PIO replied : 23/12/2009
First Appeal filed on : 24/12/2009
First Appellate Authority order : Not mentioned.
Second Appeal Received on : 21/01/2010
Notice of Hearing Sent on : 01/02/2010
Hearing Held on : 05/03/2010

Appellant sought information regarding Mr. Vinod Kumar working as Junior Clerk in Licensing Deptt, MCD, Najafgarh Zone.

Sl.	Information Sought	PIO's reply
1.	Whether the case is subjudice against Mr. Vinod Kumar under FIR No. 1041/99? Whether this information had been given by him to the department. If yes, then provide copy of proof.	Yes, this has been informed to the Deptt. and file is registered in Vigilance dept.
2.	Provide the photocopy of leave taken by him since 1999.	Yes, anyone goes after taking leave. Copy enclosed.
3.	Provide the proof of permission given to the staff (said above) by all departments (where he had been working since 1999) for appearing before Court.	This is concerned with Central Establishment Dept.
4.	Whether any staff in MCD may go on date of the Court without taking permission for leave.	This is related to arrangement of the concerned dept.
5.	What action is taken by the department against the staff who goes to court without taking permission?	An action is taken as per law.
6.	Whether the said staff had informed the department in writing about the court in which his case is subjudice & Case no.. If yes, then provide proof of it.	As informed in Sl. No. 3(above)
7.	Provide the copy of the proof of any case against the said staff which is/was known to the department in addition to FIR No. 1041/99.	No. In addition to this there is no case which is subjudice. The department has been informed.

8.	How many has RTI applications been filed regarding this case of Vinod Kumar? What had action been taken by the department in part of the RTI applications? Provide the photocopy of the proof regarding what action taken.	It does not cover under RTI.
9.	Provide the name & address of the Society or Union in which the said take part without taking permission & which provisions.	This is said wrongly. Vinod Kumar is chief of MCD Co. O. T C Society (Reg.). He takes part as per law.

Grounds for First Appeal:

Information was not provided in stipulated time.

Order of the First Appellate Authority:

Not enclosed.

Grounds for Second Appeal:

Wrong information & First Appeal was not heard.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Mr. Rajendra Gupta;

Respondent: Mr. K. C. Bhardwaj, PIO & Dy. Commissioner;

The Appellant has sought information about Mr. Vinod Kumar, LDC who has been in Nazafgarh Zone since 2008. The Respondent states that he has given the information about Mr. Vinod Kumar relating to his Department (General Branch). The Appellant informs the Commission that Mr. Vinod Kumar has been working in Nazafgarh Zone since 2008. The Respondent is directed to obtain the information sought by the Appellant from any of the Department within Nazafgarh Zone and supply it to the Appellant. The PIO states that he has transferred the RTI application for providing the information on query -1 & 6 to the Director (Vigilance), Civil Lines Zone on 21/01/2010.

Decision:

The appeal is allowed.

The PIO is directed to provide the information as directed above to the Appellant before 20 March 2010.

The PIO and Director (Vigilance), Civil Lines Zone is directed to ensure that the information relating to query-1 & 6 is provided to the Appellant before 30 March 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
05 March 2010

(In any correspondence on this decision, mention the complete decision number.)^{Reg}

CC:

To,

Director (Vigilance), Civil Lines Zone through Mr. K. C. Bhardwaj, PIO & Dy. Commissioner