

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

Decision No. CIC/SG/C/2010/000265/7054
Complaint No. CIC/SG/C/2010/000265

Complainant : Mr. Amar
B-1580, Holambi Kalan
Phase-2, New Delhi-110082

Respondent : Public Information Officer
Municipal Corporation of Delhi
Coordination Section, Education
Department (HQ), Kashmere Gate
New Delhi-110006

Background:

Mr. Amar had filed a RTI Application on 03/11/2009 with PIO, MCD , Education Department. The Asst. Education Officer (Coordination Section),MCD, Education Department (HQ) replied to the Complainant vide a letter dated 11/11/2009 stating that as the Indian Postal Order is drawn in favour of the Accounts Officer it was not valid. He requested Mr. Amar to deposit the IPO in the name of the Commissioner, MCD.

The Complainant vide his letter dated 10/02/2010 (received by the Commission on 22/02/2010) has filed a Complaint under Section 18 of the RTI Act against the refusal to accept his RTI Application. He has referred to Rule 3 of Right to Information (Regulation of Fees and Cost) Rules, 2005. Rule 3 very clearly provides that:

“A request for obtaining information under subsection (1) of Section 6 shall be accompanied by an application fee of Rs. 10/-by way of cash against proper receipt or by demand draft or bankers cheque or Indian Postal Order payable to the Accounts officer of the public authority”.

In view of the aforesaid and the reference quoted by the Complainant himself, the Commission finds the response of the Asst. Education Officer to be unacceptable.

Decision

The Complaint is allowed.

The Public Information Officer is directed to accept the RTI Application of the Complainant and provide the information before 26/03/2010 **free of cost**.

Shailesh Gandhi
Information Commissioner
05/03/2010

Encl: Copy of Complaint dated 10/02/2010 (Copy of RTI Application annexed)