

**CENTRAL INFORMATION COMMISSION**  
**Club Building (Near Post Office)**  
**Old JNU Campus, New Delhi - 110067**  
**Tel: +91-11-26161796**

**Decision No. CIC/SG/C/2010/000065/7137**  
**Complaint No. CIC/SG/C/2010/000065**

**Complainant** : Mr. Gopal Krishna  
C-4/148-b, Keshav Puram  
Delhi-110035

**Respondent** : Public Information Officer/S.E-II  
O/o the Suptdg. Engineer-II  
Municipal Corporation of Delhi  
Rohini Zone, Sector-5,  
Rohini, New Delhi

EE(B)-II/Deemed PIO  
O/o the Executive Engineer (B)-II  
Municipal Corporation of Delhi  
Rohini Zone, Sector-5  
Rohini, New Delhi

**Facts arising from the Complaint:**

Mr. Gopal Krishna filed a RTI application with the PIO, MCD, Rohini Zone, New Delhi on 26/11/2009 asking for certain information. However on not having received the information within the mandated time, the Complainant filed a complaint under Section 18 of the RTI Act with the Commission. On this basis, the Commission issued a notice to the PIO/Assistant Commissioner, MCD, Rohini Zone, Delhi on 19/01/2010 with a direction to provide the information to the Complainant and further sought an explanation for not furnishing the information within the mandated time.

The Commission has received a letter dated 29/01/2010 from the SE-II/PIO, MCD, Rohini Zone stating that the RTI Application was endorsed to EE (B-II), MCD, Rohini vide a letter dated 15/12/2009. Subsequently vide a letter dated 05/02/2010 the PIO/SE-II, MCD, Rohini Zone informed the Commission that information has been provided to the Complainant vide a letter dated 04/02/2010 after having received the same from deemed PIO/EE(B)-II, MCD, Rohini Zone. On perusal of the information it has been observed that information provided on **Query No.4** is incomplete. No information has been provided with regard to the second part of the query wherein copy of approval for carrying the demolition activity has been sought.

Furthermore, on the basis of the statements provided by the PIO/Suptdg. Engineer vide his aforesaid letters dated 29/01/2010 and 05/02/2010 it is apparent that the responsibility for the delay in providing the information rests with the deemed PIO. There has been a delay of over 70 days on the part of the EE (B)-II, MCD, Rohini Zone in responding to the RTI application.

**Decision:**

**The Complaint is allowed.**

In view of the aforesaid the PIO/Suptdg. Engineer is directed to ensure that complete and correct information is provided to the Complainant as mentioned above with regard to the *second part* of **Query No.4** of the RTI Application dated 06/01/2009. From the facts before the Commission it appears that the deemed PIO has not provided the correct and complete information within the mandated time without any reasonable cause and has failed to comply with the provisions of the RTI Act. The deemed PIO's action clearly amounts to denial of information without any reasonable cause. The deemed PIO/EE(B)-II is hereby directed to present himself before the Commission on **27/04/2010** at **10.00am** along with his written submissions to show cause why penalty should not be imposed and disciplinary action be recommended against him under Section 20 (1) and (2) of the RTI Act. Further, the deemed PIO may serve this notice to such person(s) who are responsible for this delay in providing the information, and may direct them to be present before the Commission along with him on the aforesaid scheduled date and time. The deemed PIO should bring along proof of seeking assistance from other person(s), if any.

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, 2005.

**Shailesh Gandhi**  
**Information Commissioner**  
**12/03/2010**

*(In any correspondence on this decision, mention the complete decision number.)(SP)*