

Central Information Commission

Room No.306, II Floor, B Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066

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Adjunct to Appeal: No. CIC/AD/A/2012/003079/DS

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Appellant /Complainant : Shri Rambir Singh, New Delhi
Public Authority : O/o the Additional District
Magistrate, S-W(GNCT) Delhi(Sh.Rajiv Kumar Tehsildar, Sh.
Harish Kumar,
Field Kanungo)

Date of Hearing : **22 November 2013**

Date of Decision : **22 November 2013**

Facts:-

1. Further to Commission's order of even number dated 14 October 2013, matter pertaining to the show cause notice was heard today. The CPIO/SDM (Vasant Vihar) has failed to appear in person and has instead sent written submission through a junior functionary who had been sent to represent him. It is stated by the representative of the PIO, Shri Pradeep Kumar, Tehsildar, Vasant Vihar that the requested information has since been provided to the appellant on 5 November 2013. However it is observed that the PIO has submitted in his written statement that the information requested by the appellant has not been provided to him as the said record is not traceable and that the facts have been conveyed to the appellant vide letter dated 18 November 2013 along with verbal assurance that as soon as the information is available/traced, the same will be provided to the appellant.

Decision notice

2. Commission has perused the written submission sent by the PIO. Nowhere in this submission is any explanation provided as to the reasons on account of which the information was not provided to the appellant prior to the bifurcation. It is noted that the RTI application dated 2 January 2012 and that the bifurcation between Vasant Vihar and Kapashera Sub - Division took place in September 2012. The plea now taken by the PIO is that the records were misplaced during shifting/transferring of records at the time of bifurcations. This explanation is not tenable or creditable. Even now it is not clear as to whether the requested information has been provided to the appellant or not as two separate submissions are made before the Commission which are recorded above. PIO has also failed to act as per the directions of the first appellate authority who had directed that information be provided to the appellant in the form of exact filed report within 15 days. There has been a delay of 566 days from 5 May 2012 up to the present date (566 x Rs.250). Therefore, Commission imposes a penalty of Rs. 25,000/- on Shri Alok Sharma, PIO/SDM(Vasant Vihar). This amount will be paid in five equal installments @ of Rs.5,000/-pm. The Appellate Authority is directed to recover the amount of Rs. 25,000/- from the salary of the Shri Alok Sharma,PIO/SDM/Vasant Vihar and remit the same by a demand draft or a Banker's cheque in the name of the Pay & Accounts Officer, CAT, payable at New Delhi and send the same to Shri Pankaj K.P. Shreyaskar, Director and Joint Registrar of the Central Information Commission, 2nd. Floor, August Kranti Bhawan, New Delhi-110066. The amount may be deducted at the rate of Rs. 5000/- per month every month from the salary of the PIO and remitted by the 10th

of every month starting from December, 2013. The total amount of Rs. 25,000/- will be remitted by 10th of May, 2014.

(Smt. Deepak Sandhu)
Chief Information Commissioner

Authenticated true copy:

(T. K. Mohapatra)
Dy. Secretary & Dy. Registrar
Tel. No. 011-26105027

Copy to:-

1. Shri Rambir Singh
House No. 819, Rao Fateh Singh Marg
Kapashera, **New Delhi-110037**
2. The CPIO
Sub-Divisional Magistrate
O/o the Dy. Commissioner (S/W)
Vasant Vihar, Old Terminal Tax Bldg.,
Kapashera, **New Delhi-110037**
3. The Appellate Authority
Addl. District Magistrate – S/w
Government of N.C.T. of Delhi
South-West District , Old Terminal Tax Bldg.,
Kapashera, **New Delhi-110037**
4. Shri Alok Sharma
SDM(Vasant Vihar)/PIO
O/o the Sub-Divisional Magistrate
Dy. Commissioner South West Office Complex
Old Terminal Tax Bldg., Kapashera, **New Delhi-110037**
5. Shri Pankaj K.P. Shreyaskar,

Director and Joint Registrar
of the Central Information Commission,
2nd. Floor, August Kranti Bhawan, **New Delhi-110066**