

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)

Information Commissioner

CIC/SA/A/2014/001652

HEARING OF SHOW CAUSE NOTICE

Rakhee Marwah v. PIO, SDM (Saket)

Important Dates and time taken:

RTI: 25.07.2014	Reply: 29.08.2014	Time: 35 days
FAA: 01.09.2014	FAO: 31.10.2014	Time: 60 days
SA: 10.11.2014	Hearing: 28.05.2015	Decision: 03-06-2015
Result: Adjourned to 22-6-2015 at 2.30 pm		

Parties Present:

Appellant is not present. Public authority is represented by Malvinder Singh, Steno.

Facts:

2. Vide this Commission's order dated 27-4-2015, the Commission had ordered as under:-

"7. The income certificate was issued by Mr. Ajit Singh, Tehsildar, Saket. Hence, the Commission directs him to appear for next hearing on **28-5-2015 at 2.30 pm** to explain why maximum penalty

cannot be imposed for issuing wrong certificate of income and for not providing complete information to the appellant as promised in his letter dated 29-8-2014.

8. The Commission observes that if the income certificates are issued instantly without proper inquiry and investigation, it would seriously jeopardize the rights of spouses and also imposes burden on public exchequer by way of rendering legal aid for litigant and also entitling them for BPL benefits. The bribery in fabricating false income certificates help perpetuation of crime of non-maintenance of spouses resulting in denial of genuine maintenance shattering the peace in families and society. . The Commission directs the Public Authority to inquire into allegation of appellant that Mr A N Mishra gave false information about income of Mr Sameer khan and a certificate of that income was issued by Ajit Singh. The Commission found reasonable grounds to inquire (as provided under Section 19(2) of RTI Act) into the matter of issuing income certificate to Mr. Samir Khan by Mr. A. N. Mishra and Mr. Ajit Singh, and into the allegation of suppressing the file, partly in the beginning and some part even now, and furnish report to the Commission within 30 days from the date of receipt of this order. The Commission require the Public Authority to inquire whether any crimes under IPC were committed by officers and husband of the appellant and proceed with necessary action based on findings.

9. The Commission also directs the respondent authority to pay compensation of Rs 10,000 to the appellant, for denying and harassing the appellant by not giving information in stipulated time on the pretext of missing file.

10. The Commission orders accordingly and adjourns the case to **28-5-2015 at 2.30 pm** for compliance and further penal proceedings.”

DECISION:

3. As per the above order, Mr. Malvinder Singh, Steno appeared before the Commission and pleaded to adjourn the hearing as Mr. Ajit Singh, Tehsildar was unable to attend the hearing today. Accordingly, the Commission adjourns the hearing to 22-6-2015 at 2.30 pm.

(M.Sridhar Acharyulu)
Information Commissioner

Authenticated true copy

(Babu Lal)
Deputy Registrar

Addresses of the parties:

1. The CPIO under RTI,
Sub Divisional Magistrate (Saket),
Govt of NCT of Delhi, M B Road, Saket,
New Delhi-110068.

2. Shri Rakhee Marwah,
R/o D-9, Ashok Bharti Apartments,
24 IP Extension, Delhi.

3. Shri Ajit Singh, Tehsildar, Saket
Sub Divisional Magistrate (Saket),
Govt of NCT of Delhi, M B Road, Saket,
New Delhi-110068.