

CENTRAL INFORMATION COMMISSION
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Old JNU Campus, New Delhi - 110067
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Decision No. CIC/SG/A/2011/001128/13081
Appeal No. CIC/SG/A/2011/001128

Relevant facts emerging from the Appeal:

Appellant : Mr. Harpal Singh Rana
Village Office, A-1 Village,
Post Kadipur, Delhi- 110036

Respondent (1) : Mrs. Nirmala Rani
Deemed PIO & FSO(C-16)
Food and Supplies Department, GNCTD
Circle Office 16, Old Middle school building
RamPura, Tri Nagar,
Delhi – 110035

(2) : Mr. Ajay Arora
Public Information Officer & AC,
Food & Supply Department, GNCTD
Gulabi Bagh, 23-27 Shopping Complex,
Gulabi Bagh, Delhi

RTI application filed on : 17/12/2010
PIO replied on : 19/01/2011
First Appeal filed on : 22/02/2011
First Appellate Authority order of : Not enclosed
Second Appeal received on : 24/12/2011

Information Sought :

1. Provide the answers in hindi.
2. .In case the quantity of information is excessive, provide the answers on a CD.
3. Provide details about levying fine in cases of delay in issuing a new ration card.
4. Is there any rule for issuing a ration card within 45 days. Provide details as to how the rule is implemented.
5. How many such applications have been passed? Provide a list with name and complete address.
6. How many of these have been paid a fine due to delay in making the card? Provide a list with name and complete address.
7. How many applications are yet to be considered? In what manner is the fine paid?
8. What is the procedure for processing the application and the fine? Which officer was responsible in this regard. Certain information should have been specifically displayed but it wasn't done accordingly.

PIO's reply:

- I. Circle Office 2, Burari (24/01/2011)**
1. Information has been provided in hindi.
 2. Information has been provided in hindi.
 3. Photocopy attached.
 4. Photocopy attached.
 5. Submit amount for procuring photocopies.

6. Application pending from 2009 are being considered first.
7. Roughly 1000 applications are pending as of now.
8. Complaints are made to higher officers. Some boards have been put up and the others will be put up shortly.

II. Circle Office -04 (19/01/2011)

1. The answer has been provided in Hindi.
2. The answer has been provided in Hindi.
3. There is no such case in Circle office 4.
4. Related to the HQ.
5. There is no such order in circle office 4.
6. There is no such case in Circle office 4.
7. There is no such case in Circle office 4.
8. There is no such case in Circle office 4. All CIC regulation regarding publication of information etc. has been adhered to.

III. Circle Office 14 (22/01/2011)

1. Information has been provided in Hindi.
2. The information is only relate to Circle 14 and therefore no that lengthy.
3. The rate of fine is rs 10/- per day after the expiry of first 45 days.
4. The copy of rules applicable 2010 onwards can be procured from the HQ.
5. Related to HQ.
6. Related to HQ.
7. Related to HQ.
8. The enquiry regarding fines is carried on immediately and the applicant is given the information. In case the officer responsible does not carry on the enquiry , fine may be levied against him.

IV. Circle Office 15 (17/01/2011)

2. There is no such case in Circle Office 15.
3. There is no such case in Circle Office 15.
8. Complaint can be lodged with the senior officer. The information , rules etc are published as per departmental needs.

V. Circle Office 17 (21/01/2011)

4. A copy of the order can be procured from the office.
 5. It is not possible to give certain and specific answer to the question.
 6. No fine has been levied in Circle 17.
 7. The information is available in the Diary. Photocopy can be procured by paying the amount.
 8. Same as answer 4.
- Copy of the order can be supplied by the office.

VI. Circle Office 18 (19/01/2011)

1. Information has been provided in Hindi.
2. Information has been provided in Hindi.
3. Related to the HQ.
4. No such case in Circle Office 18.
5. No such case in Circle Office 18.
6. No such case in Circle Office 18.
7. No such case in Circle Office 18.
8. No such case in Circle Office 18. All CIC instruction in this regards have been followed.

Grounds for the First Appeal:

1. The answers provided are incomplete and unsatisfactory.
2. Circle offices 1, 9, 10, 11 and 12 have not replied.

Order of the First Appellate Authority (FAA):

Not Enclosed

Ground of the Second Appeal:

The first appeal has not been heard. The answers provided are unsatisfactory.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Mr. Harpal Singh Rana on telephone through mobile no. 9136235051;

Respondent (1): Mrs. Nirmala Rani, Deemed PIO & FSO(C-16);

Respondent (2): Mr. Ajay Arora, Public Information Officer & AC, Gulabi Bagh;

The Appellant had mainly sought information regarding the implementation of the service level agreement which was announced in 2010 with great fanfare. The main component in this promise made by Delhi Government was that citizens would get a ration card in 45 days failing which the responsible officer would be penalized Rs.10/- per day. The appellant was seeking to know if the government had implemented this promise or had made a false promise. The respondent states that in North Zone no penalty had been imposed as a consequence of this. The Commission asked the respondent whether it meant that all applicants had got their ration cards within 45 days. The respondent admits there are applicants whose ration cards are not made in 45 days but no penalties have been imposed. The appellant told the Commission that he was keen on reminding Delhi Government that if it makes such promise to citizens it must learn to abide by this. If the government makes false promises this is a serious default and citizens could not have any faith in governments.

The Commission under its powers under Section 19(8)(a) of the RTI Act directs the PIO's of All Zone to ensure that the following information should be displayed on the website of the Food and Supplies Department every month:

Month and Year	Number of Cards not Prepared within 45 days.	Number of penalties levied.

This list must be displayed for the period starting June 2011 onwards and must be updated each month before the 15th day of the following month. PIOs of all zones will send the compliance report to the Commission before 15 July 2011.

Decision:

The Appeal is allowed.

The PIOs of all zones are directed to display information on the website as mentioned above before 15 July 2011 and keep them updated. They will send a compliance report to the Appellant and the Commission before 15 July 2011.

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
25 June 2011

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

Copy through Mr. Ajay Arora, PIO & AC to:

1- The PIOs of All Zone.