

CENTRAL INFORMATION COMMISSION  
Adjunct to Appeal No.CIC/WB/A/2006/00349 dated 20.6.2006  
**Right to Information Act 2005 – Section 19**

Appellant - Ms. Gita Dewan Verma  
Respondent - Municipal Corporation of Delhi.

**O R D E R**

By our Decision Notice of 12.4.2007 we have directed as follows:

"The disposal of the application of Ms. Gita Dewan Verma is a lamentable example of delayed action in responding to statutory requirements under the RTI Act 2005. The following will, therefore, show cause on **1.5.07 at 10.00 A.M.** as to why they should not be held liable for penalty @ Rs. 250/- a day from the date that they received the application from the Office of Shri V.K. Bagga, Chief Town Planner up to the time that the response has been given in the case of Engineer-in-Chief, MCD and in the remaining case the date when it will be given:

1. Engineer-in-Chief, M.C.D.
2. Commissioner (Planning) DDA.
3. D.C. Revenue, GNCT Delhi

They may bring necessary documents with them to establish that they have acted reasonably and diligently in processing this case as required under proviso II to sec. 20(1) of the RTI Act 2005, failing which a penalty at the above rate will be imposed on all the days for which the application has been pending with them, beyond the time permissible, not exceeding Rs. 25,000/-."

Accordingly we have received a written reply from Shri Ravi Dass, Engineer-in-Chief dated 30.4.2007 and the following have appeared in person :-

1. Mr. Anil K. Gupta, Administrative Officer - on behalf of E-in-C
2. Mr. S. K. Singh, ADM (South) - representing D.C. (Revenue)
3. Mr. A. K. Choudhary, NT/LA (South)

Shri S.K.Singh, representing D.C. (Revenue) has presented us with the original letter of Shri V.K.Bagga, Chief Town Planner / PIO of 23.12.2006 with notings thereon. He stated that this reached the office of D.C. (Revenue) only on

17.1.07 after which it has remained pending in that office to the present day unattended to by Ms. Neena Sharma, Data Entry Operator, dealing with all RTI matters, who has handed over charge of this position a month ago without giving charge of these papers to the Record Keeper.

There is no representative of Commissioner (Planning) at the hearing. This may be a result of his not having received notice since he was not represented at the time of the hearing on 12.4.07.

It is, therefore, directed as follows :

1. The case has been disposed of by A.E. (Bldg) and M.E. cum E-in-C by simply replying to appellant Ms. Gita Dewan Verma on 20.3.07 that the information is to be provided by D.C. (South Zone) "as no such information is available with this office." A copy of the application also stands transferred to D.C. (South Zone) on 1.3.'07. No action seems to have been taken by the D.C. (South Zone). He will, therefore, **show cause either in writing by 12.5.07 or by personal appearance on 18.5.2007 at 4.00 p.m.** as to why he should not be held liable for penalty @ Rs. 250/- a day from the date he received the application up to the time that the response will be given.
2. D.C. (Revenue) will ensure that the response is sent to appellant Ms. Gita Dewan Verma today. Ms. Neena Verma, now posted as Data Entry Operator in Sub Registrar's Office, Mehrauli, will also **show cause either in writing by 12.5.07 or by personal appearance on 18.5.2007 at 4.00 p.m.** as to why she should not be held liable for penalty @ Rs. 250/- a day from the date she received the application up to the time that the response has been given, also confirming that the information has been provided today .
3. Commissioner (Planning) DDA is directed to comply with our directions of 12.4.2007. He is given a further opportunity to **show cause either in writing by**

**12.5.07 or by personal appearance on 18.5.2007 at 4.00 p.m.** as to why he should not be held liable for penalty @ Rs. 250/- a day from the date he received the application up to the time that the response has been given / the date when it will be given, failing which it will be assumed that he has nothing to say in this matter.

Announced in the hearing. Notice of this decision be given free of cost to the parties.

(Wajahat Habibullah)  
Chief Information Commissioner  
1.5.2007

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges, prescribed under the Act, to the CPIO of this Commission.

(L.C.Singhi)  
Addl. Registrar  
1.5.2007