

CENTRAL INFORMATION COMMISSION

Room No.414, Baba Gangnath Marg, Munirka
New Delhi-110067

F. No. **CIC/YA/A/2016/001586/MCDND**

Date of Hearing : **01.12.2017**
Date of Decision : **06.12.2017**
Appellant/Complainant : R.L. Makhija
Respondent : PIO/EE(Bldg-II),Shahdara(S) EDMC
Through: Mr. Ashok Bhati, OIB
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

RTI application filed on : 21.12.2015
PIO replied on : 04.03.2016
First Appeal filed on : 27.01.2016
First Appellate Order on : 17.03.2016
2nd Appeal/complaint received on : 05.05.2016

Information sought and background of the case:

Vide RTI application dated 12.09.2016, the appellant sought details of date of birth, qualifications, date of joining in MCD, details of regular appointment in MCD, bio-metric attendance, salary details etc. in respect of Mr. Fezan Raza, Junior Engineer under Executive Engineer Building, Shahdara South Zone. Having not received any response from the public authority, the appellant filed an appeal on 27.01.2016. The PIO furnished pointwise reply, as available on record, to the appellant on 04.03.2016. The FAA vide order dated 17.03.2016 observed as under:

“that information sought under the RTI related to Building Department –II was provided to the appellant and point No. 8,9,11,13,14,15,17 to 20 and 20-25 are not maintained in the building. Accordingly, Sh. S.D.Tomar is hereby directed to transfer the RTI for above mentioned points to the concerned Department for providing information to him immediately. For point No. 4 to 7, 10,16 & 24, provide copies of the documents within 15 days.”

Feeling aggrieved over non-compliance of FAO, the appellant approached the Commission.

Relevant facts emerging during hearing:

Both parties are present for hearing and reiterate their respective contentions. The appellant once again in this case has stated that the focus of his query is actually aimed at a beldar becoming a Junior Engineer without the requisite qualifications.

Responding to the contentions of the appellant, the Respondent has stated that verification of educational qualification is done by the North DMC at a central level and as per knowledge available with him, the concerned beldar was a diploma holder and hence found appropriately qualified to be JE.

Decision:

After hearing the parties and upon perusal of the records, it is evident that the germane query of the appellant is focussed on the educational qualification and veracity thereof. Hence the Commission directs the Respondent PIO/EE(B-II), Shahdara, South Zone to submit a Revised Reply to the appellant verifying that the concerned beldar Mr. Fezan Raza held an authentic diploma, after checking the credentials from the North DMC. This exercise should be complete within a week of receipt of this order and a copy of the compliance report should be sent to the Commission by or within 26th December 2017.

The appeal is disposed of accordingly.

(Yashovardhan Azad)
Information Commissioner

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.

(R.P.Grover)
Designated Officer