CENTRAL INFORMATION COMMISSION
Appeal Nos. CIC/WB/A/2006/00425 & 426 dated 11.7.06
Right to Information Act 2005 – Section 19

Appellant: Shri Ajit Gupta, Rajouri Garden, New Delhi
Respondent: Addl. District Magistrate (NW), Govt. of NCT of Delhi.

Facts:
Shri Ajit Gupta of Rajouri Garden applied on 19.4.06 to ADM, Distt. North West, with three applications assigned ID nos. 462, 453 and 464, seeking the following information from Consolidation Officer, Village Pooth Khurd, Alipur, Delhi.

“How much record has been scrutinize till date?
In how much time, the process of scrutinization will be completed.”

To this he received a response from the A.D.M. (NW) enclosing a report received from SDM Narela on 23.6.06 in which it is stated that approximately 40% of the scrutinization work was complete and the village will be completed at the earliest possible. In the meantime because of the delay in receiving a response from the PIO, Shri Ajit Gupta had moved an appeal with the Deputy Commissioner (NW) Kanjhawala, Delhi on 19.6.06 stating that he had received no information.

In his second appeal before us, appellant Shri Ajit Gupta has sought the following information: -

“No clarifications regarding details of 40% work given such as what stages of consolidation has crossed and which sections of consolidation has been completed till date.

Please also intimate the complete details of 60% work left for scrutinization along with the specific date & time by which the scrutinization shall be completed.”
DECISION NOTICE

Our Decision in the above case applies also to these two appeals, as agreed by appellant on telephone. As we found in our Decision of 27/11/’06, the information sought by appellant in his second appeal goes beyond the information originally sought from the PIO. In that request applicant Shri Ajit Gupta had only asked how much record had been scrutinized till date and in how much time the process of scrutiny would be completed. The request had not sought details of the work that had been completed or details of the work pending. This will have to form the subject of a fresh application to PIO.

However, we found the manner in which the information sought had been provided in this case unsatisfactory and unprofessional. The application was made on 19.4.06. The information was supplied on 23.6.06. There had, therefore, been a lapse of 34 days beyond the prescribed time limit for providing information. Whereas we found that it is beyond the jurisdiction of this Commission to adjudicate on the professionalism of the public authority, the DC Office were advised to take note of our observations so as to improve the quality of public service.

In our Decision of 27/11/’06 we had directed Shri C. Arvind, A.D.M. (North West) to show cause why a penalty of Rs. 8500/- should not be imposed upon him for delayed response of 34 days beyond the prescribed time limit for providing information to the applicant Shri Ajit Gupta. That matter has been heard on 11/12/’06. Since the appeals are identical and concern the same subject, no further penal action is proposed. These appeals are disposed of accordingly.

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

(Wajahat Habibullah)
Chief Information Commissioner
21.12.2006
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
21.12.2006