

# CENTRAL INFORMATION COMMISSION

Adjunct to:

Complaint Nos. CIC/WB/C/2007/00252 to 257 all dated 30.5.2007,  
CIC/WB/C/2007/00273 to 276, 278 & 279 all dated 18.6.2007  
CIC/WB/C/2007/00280 to 299 all dated 17.5.2007  
CIC/WB/C/2007/00302 TO 308, 310, 311 & 313 all dated 16.5.2007,  
CIC/WB/C/2007/00362 dated 20.6.2007 AND  
CIC/AT/C/2007/00297 dated 18.6.2007

Right to Information Act 2005 – Section 18

**Complainant** - Shri Prashant Garg

**Respondent** - Deputy Commissioner of Police (D.C.P) Traffic, Delhi Police

## ORDER

In our Decision of 21.8.2009 we had directed as follows:

“In the cases quoted above, where information sought had not been provided despite the lapse of the time limit mandated u/s 7(1) of the RTI Act, Shri Prabhakar, DCP (Traffic) and present PIO will enquire into the reasons for this delay, identify the individuals responsible for the failure to respond and **send a report to us by 1.9.2008 together with an explanation of the erring officials**. Such officials will also appear before us on 29.9.2008 at 11.30 a.m. to show cause as to why they should not be held liable for penalty of up to Rs. 25000/- in each case for failure to respond to the RTI application.”

The above cases are held in **File Nos. CIC/WB/C/2007/00274 and 275**. Although PIO was given full opportunity to be heard as mandated u/s 20(1), neither have we received any written reply nor has he or the errant officials appeared before us in person. Under the circumstances, **we find Shri Dipender Pathak, PIO Police HQ and Addl. Commissioner of Police (Gen. Admn) liable for the penalty in both cases up to a maximum of Rs. 25,000/- each, amounting to Rs. 50,000/- on the whole.**

Shri Y. S. Dadwal, Commissioner of Police, is directed to recover this amount from Shri Dipender Pathak, Addl. CP (Gen.Admn) through deduction from his salary in equal installments not exceeding Rs. 5000/- commencing 3<sup>rd</sup> November, 2008. He will remit the same to Pay & Accounts Officer, Central Administrative Tribunal, C-1, Hutments, Dalhousie Road, New Delhi-110011 under intimation to Shri Pankaj Shreyaskar, Deputy Secretary and Joint Registrar of this Commission.

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

(Wajahat Habibullah)  
Chief Information Commissioner  
29.9.2008

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.

(Pankaj Shreyaskar)  
Joint Registrar  
29.9.2008