

**CENTRAL INFORMATION COMMISSION**  
**Club Building, Opposite Ber Sarai Market,**  
**Old JNU Campus, New Delhi - 110067.**  
**Tel: +91-11-26161796**

**Decision No.CIC/SG/A/2009/003181/6673**  
**Appeal No. CIC/SG/A/2009/003181**

**Appellant** : Mr. Omkar Nath Kapoor,  
10061,Gali Zameer Wali,  
Nawab Ganj Pul Bangash,  
New Delhi - 110006

**Respondent** : Mr. Rajendra Prasad  
Public Information Officer & SE,  
**Municipal Corporation of Delhi**  
16, Rajpura Road, Civil Lines Zone,  
New Delhi

**RTI application filed on** : 13/07/2009  
**PIO replied** : 09/09/2009  
**First Appeal filed on** : 28/08/2009  
**First Appellate Authority order** : 00/00/0000  
**Second Appeal filed on** : 16/12/2009  
**Notice of Hearing Sent on** : 04/01/2010  
**Hearing Held on** : 03/02/2010

Sl.	Information sought	PIO's reply
1.	Who is Contractor of street light of Area of Nawab Ganj Pul Bangash Ward-78? Give the copy of contract.	Street lights of concerned area are maintained by BSES& NDPL. All control by Discom.
2.	Please give the name of area covered under contract.	This query is related to Discom(BSES/ NDPL)
3	Under the contract what work has to be done by the contractor? Give the list of works	As per ans. 2
4	What is the duration of contract & rate of the contract	As per ans. 2
5	If the payment is made as per the work done then give the list of work & the payment for it.	This is related to superintending engineer (electricity)-I.
6	Give details of, From which & how the contractor granted the payment.	As per ans.5
7	After complain from the people within how many days damage light will be replace. Give the copy of concern contract or order.	This is related to Discom
8	If the light is not replaced within specific time what action will be taken? Give the copy of concern contract or order.	As per ans. 7
9	In which situation payment of contractor is reduced. Give the copy of concern contract or order.	As per ans. 7
10	In which situation the contract will be dismissed. Give the copy of concern contract or order	As per ans. 7
11	In how many days contract will be dismiss.	This is related to superintending engineer (electricity)-I.

<b>12</b>	If contractor fails to work done properly How MCD will bound contractor. Give the copy of related documents	As per ans. 11
<b>13</b>	Is MCD taken any action against the contractor? Give it's details	As per ans. 11
<b>14</b>	How much payment is made by MCD for each street light to electricity board?	As per ans. 11

**Grounds for First Appeal:**

45 days are over but still PIO not supply the information.

**Order of the First Appellate Authority:**

No order.

**Grounds for Second Appeal:**

The information supplied by PIO is incomplete & unsatisfactory.

**Relevant Facts emerging during Hearing:**

The following were present:

**Appellant:** Mr. Omkar Nath Kapoor;

**Respondent:** Mr. Rajendra Prasad, Public Information Officer & SE;

Mr. R. Narula, PIO & SE (Electrical), Ambedkar Stadium, Delhi Gate, Delhi;

The First Appellate Authority Ms. Kiran Dabral, Dy. Commissioner is guilty of dereliction of duty since she had not passed any order in the matter.

The Appellant has sought information which is with BSES or NDPL. The issue of whether BSES or NDPL are public authorities are not is pending in the court. In these circumstances as of now it is not possible to get any information from BSES or NDPL.

**Decision:**

The appeal is disposed.

The First Appellate Authority Ms. Kiran Dabral, Dy. Commissioner is directed to send her explanation why she did not do her duty and give an explanation to the Commission for her dereliction of duty before 20 February 2010

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**  
**03 February 2010**

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

(SR)