

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF ADDITIONAL DISTRICT MAGISTRATE /F.A.A.
DISTRICT NEW DELHI,12/1, JAM NAGAR HOUSE, SHAHJAHAN ROAD,
NEW DELHI-110011**

No.F.11(1)/DC/ND/RTI APPEAL/2013/13161

Dated: 17.01.2013

ORDER

17.01.2013:

Present : Sh. Bhan Singh, Appellant but Sh. Alok Sharma, SDM(Vasant Vihar)/PIO not present.

Sh. Bhan Singh r/o H. No.61, Masood Pur , New Delhi-110 070 had filed an RTI application dated 23rd July, 2012 before SDM/Tehsildar, Vasant Vihar for seeking information about certain clarifications on ownership of Lal Dora Land under DLR Act, 1954.

Sh. Alok Sharma, SDM, Vasant Vihar/PIO vide his letter No. F.SDM/VV/2011/6682 dated 29.12.2012 had sent him a reply on the above issue stating therein that despite their best efforts the RTI application of Sh. Bhan Singh dated 20.7.2012 is not traceable. Further the PIO informed that the information sought by the appellant is not covered under definition of "information" under RTI Act, 2005.

Now, Bhan Singh has further filed an appeal vide his letter dated 08.01.2013, received in this office on 09.01.2013 before the undersigned/First Appellate Authority stating therein that the PIO has furnished an evasive reply and misplaced his earlier application too.

In this regard an hearing opportunity was given to appellant to appear on 17.01.2013 at 2:30 p.m. with a copy to Sh. Alok Sharma, SDM, Vasant Vihar/PIO..

During the course of hearing, the appellant stated that if the RTI application of appellant had been got misplaced by PIO then how he came to know that the information is not covered under definition of "information" of RTI Act, 2005. However, Sh.Bhan Singh submitted that he personally visited their office 2-3 times and given another copies of RTI application to the staff concerned.

This type of state of affairs on the part of PIO is not acceptable, due to which a delay of approx. 4 months has been caused to the appellant in getting his reply. The PIO may also conduct an inquiry that under which circumstances the reply was delayed due to misplaced application at their end and fix the responsibility for the same and ensure that this is not repeated in future.

..contd..2


(Rajeeva Shukla)
Additional District Magistrate
District New Delhi
12/1, Jam Nagar House, New Delhi-11

The PIO/SDM(Vasant Vihar) is also directed to provide the information to appellant about Lal Dora, if such type of opinion is available in any record/file at their end , within 10 days of receipt of this order at their end.

Appeal is disposed off accordingly.

In case the appellant is not satisfied with the information provided above, he can file 2nd appeal within 90 days at CIC at the following address :

Central Information Commission,
August Kranti Marg,
Bhikaji Cama Place,
New Delhi-22


(Rajeeva Shukla)
ADM(New Delhi)/
First Appellate Authority
Additional District Magistrate
District New Delhi
12/1, Jam Nagar House New Delhi-11

Copy to:-

1. Sh. Bhan Singh r/o H. No.61, Masood Pur , New Delhi-110 070
(Appellant)
2. Sh. Alok Sharma, SDM(Vasant Vihar)/PIO, Office of SDM, Vasant Vihar,
New Delhi.
3. Sh. Rajeev Kumar, Tehsildar(LAC)/APIO, Office of DC(New Delhi), 12/1,
Jam Nagar House, New Delhi-11
4. ✓ Sh. Swatantra Yadav, Asstt. Programmer with the request to upload the
order on departmental official web page .