

OFFICE OF THE ADM (SOUTH)/ FIRST APPELLATE AUTHORITY (RTI)
REVENUE DEPARTMENT : GNCTD : DISTRICT - SOUTH
M.B. ROAD : SAKET : NEW DELHI

Appellant : Leela Ram
Respondent : SPIO/SDM (Saket)
Under Section : 19(1) RTI, Act, 2005

No. 1042 to 1044/FAA/South/2016/530-32

Dated: 25/04/16

ORDER

This order shall dispose-off three appeals filed by **Sh. Leela Ram R/o A-3, Main Bhaati Mines Road, Village Bhàati, New Delhi – 110 074**, on 07/04/2016 under the provisions of the Right to Information Act, 2005. Since, the information sought & the cause of action in all the cases are same, all the three appeals are being clubbed and disposed off vide this common order.

Notice for hearing was issued to the concerned. The matter was taken up for hearing on 12.04.2016, wherein, there was no representation on behalf of the appellant and Shri Ajit Singh, APIO/Tehsildar (Saket) was present in person for the respondent SPIO. The documents placed on record were perused. The appeal in the present case has been filed on the grounds of unsatisfactory reply. The APIO/Tehsildar (Saket) pleaded that appropriate reply as per the records available had been provided to the applicant vide letter dated 22.03.2016.

I, have considered the contentions of the parties & records placed before me. Being a peculiar matter, it would be appropriate to discuss the background of the present appeals - *In the present case an application was filed on 17.10.2013 under the RTI Act, 2005 seeking Action Taken Report on his representation dated 24.09.2013. As per the records placed on record, no reply was received by the applicant, accordingly, he preferred an appeal before the First Appellate Authority u/s 19 (1) of the RTI Act, 2005. The said appeal was disposed-off vide order's dated 12.01.2015, wherein, the SPIO/SDM (Mehrauli) was directed to provide appropriate reply to the applicant within 10 days of the receipt of the Order. Further, somewhere in the month of June, 2015, the applicant again approached the First Appellate Authority reporting non-compliance of the abovementioned order dated 12.01.2015. Accordingly, the SPIO/SDM (Mehrauli) vide letter dated 09.06.2015 was directed to immediately comply with the directions/order dated 12.01.2015. The SPIO/SDM (Mehrauli) in turn after giving a hearing to the applicant, vide letter dated 27.07.2015 reported that the RTI applications & the information sought does not pertain to the Mehrauli Sub Division and the same should be referred to the Sub Division – Saket. Since, a copy of the said reference of SDM (Mehrauli) was endorsed to the applicant, he pursued the matter with Saket Sub Division and finally a reply was provided to him vide three separate letters all dated 22.03.2016, wherein, he was informed that "as per the records, mutation sanctioned in favour of LRs of Chander has already been stayed in the*

Deputy Commissioner (South) vide Order dated 04.09.2013 in Case No. 46/13. Revenue Records would be updated as per orders of competent authority/court in pending appeal case." Now the applicant has again approached this forum claiming the reply to the RTI application to be un-satisfactory and pleading that no action has been taken against the concerned revenue authorities, who allowed that alleged illegal mutation on the first hand.

The perusal of the reply provided by the Saket Sub Division vide letter dated 22.03.2016 show that they have provided the complete reply as per the records available with their office. No anomaly is noticed in the said reply. In the present case, the appellant has tried to seek redressal of grievances filed by him in the year 2013, which is not permissible under the Right to Information Act, 2005 [as per the decision of Hon'ble CIC in Case No. 1471/IC(A)/2007 dated 16.11.2007], hence, the appeal is not found maintainable. However, it would be appropriate to mention here that the complaint against a mutation sanctioned has already been taken cognizance by the Appellate Court of District Magistrate / Collector (South) which has been informed to the applicant and all further actions have to follow the judgement of the appellate court, but, not as per the whims & fancies of the applicant/complainant.

In view of the above discussed, the Appeal is hereby dismissed as being devoid of merits.

Let a copy of this order be placed in all three appeal case files.

The Appellant shall be at liberty to approach the Central Information Commission, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066, if he is not satisfied with the present order.

Issued under my hand and seal on this 21st April, 2016.

ADM(South)/74



- To,
- 1). Sh. Leela Ram R/o A-3, Main Bhaati Mines Road, Village Bhaati, New Delhi - 74
 - 2). The SPIO/SDM (Saket), GNCTD.
 - 3) The Programmer (NIC) O/o DM (South), with the direction to upload this order on the website of District - South.