

OFFICE OF THE FIRST APPELLATE AUTHORITY,  
LAND AND BUILDING DEPARTMENT  
B-BLOCK : VIKAS BHAWAN, NEW DELHI.

No. PA/AS/L&B/RTI.Appeal/2018/1715/ 5038-40

Dated: 01/10/18

**ORDER**

RTIs ID No.	14092
Date of reply by PIO	25.07.18
Date of receipt of appeal	06.08.18
Date of Hearing	04.09.18
Present : Shri Praveen Kumar, .....	Appellant
Shri Surender Singh Sr. Assistant	For PIO

The applicant sought the information under RTI ID No.14092/18. He sought certified copies of the following order of information 305, claim No. 339, 1021 to 1046 in case of custodian Versus Mohd. Mian and others in the court of competent officer, Delhi

1. Orders of competent officer dated 29.05.1956 adjudging the claims of Non evacuees Co sharers and proposal for the partition put forth by custodian.
2. Orders of competent officer dated 29.01.1957 and dated 31.01.1957 making partition rule of Law.

In addition to this the appellant sought certified copies of the following order of the office of the custodian Evacuee's Property.

1. Copy of the notice U/s 7(1) Dated 16.03.1950 of Custodian Evacuee's Property and objections/reply filed by Late Mst. Khatoon Mehshar Wife of late H. Badrul Islam and subsequent Order of Assistant Custodian Ward XIII Shri Jagdish Singh determining the status and share of Evacuees and Non-Evacuees shareholders in above properties.

PIO (E.P. Cell) furnished the reply dated 25.07.18 that "it is inform you that the efforts has been made to trace out the property file/case file bearing No.305, Claim No. 399, 1021 to 1045 and found that this file is not readily traceable in our office record. Hence you are requested to supply the related documents, so that the relevant record could be traced out properly."

The applicant filed an appeal on 06.08.18 under section 19 of the RTI Act, 2005 before the undersigned against furnished reply by PIO dated 25.07.18 of the RTI I.D. No.14092 and



stated that the information is not being given on reasonable and consistent grounds. Other excuse & reasons given are not justified/tenable and the information is still denied for vague reasons.

In response to the appeal filed by the applicant dated 06.08.18, hearing notices were served to all the parties with request to appear before the First Appellant Authority on 04.09.18 with relevant documents. The next date fixed for hearing 18.09.18 and 25.09.18 due to urgent meeting consist by the Higher Authorities.

On 25.09.18, Shri Surender Singh, Sr. Assistant on behalf of the PIO appeared, who requested to the appellant to provide relevant supporting documents of the said documents/order, so that file can be located as information is not readily traceable in the office records.


On the other hand, present Shri Praveen Kumar, appellant stated that no satisfactory reply by PIO.

During the hearing appellant provided certain unsubstantiated information sheet of the Department and sought certified copy of the same.

I have gone through the submission of both the parties and available records submitted by the appellant, PIO (E.P. Cell) is directed to loacate the original file and provide the information as available on record within 15 days of receipt of this order as per provisions under the RTI Act, 2005.

Appeal is disposed of accordingly.

In case of appellant is not satisfied with the information provided above he can file 2<sup>nd</sup> appeal before the Second Appellant Authority i.e. Central Information Commission, Baba Gang Nath Marg, 3rd Floor, Munirka, New Delhi - 67.

  
(RAJEEVA SHUKLA)  
First Appellant Authority/  
Additional Secretary (L&B)

Copy for necessary action:

1. Shri Praveen Kumar, 157, Tagore Park, Delhi - 110009.
2. The SPIO (E.P. Cell), Land and Building Department, Vikas Bhawan, New Delhi.
3.  The System Analysis, Land and Building Department for uploading this order on Department website.