

OFFICE OF THE APPELLATE AUTHORITY
DELHI RIGHT TO INFORMATION ACT 2001

PUBLIC GRIEVANCES COMMISSION
Govt. of National Capital Territory of Delhi

Date of hearing: 1st March, 2018

Appellant : **Shri Bhuwan Chand Sati**

Competent Authority : **Deputy Commissioner (Shahdara South Zone),
East DMC,**
Zonal Office Building, Karkardooma,
Shahdara,
Delhi – 110 032.

Appeal No. : 401/2016/PGC/DRI/EDMC
Application filed on : 30/08/2016
Response of Competent Authority : No response
Appeal filed on : 06/10/2016
First hearing in PGC on : 19/12/2016

1. Brief facts of the Appeal

Shri Bhuwan Chand Sati sought information, during August, 2016, from the Competent Authority under Delhi RTI Act, 2001, i.e Deputy Commissioner (Shahdara South Zone), East DMC, making queries on total one point.

Shri Bhuwan Chand Sati received no reply from the Office of Deputy Commissioner (Shahdara South Zone), East DMC. Hence, he filed an Appeal during October, 2016, before the Appellate Authority / PGC, under Section 7 of the Delhi Right to Information Act, 2001.

2. Proceedings in the Public Grievances Commission

The Public Grievances Commission convened 6 hearings on 19th December, 2016, 14th March, 2017, 12th April, 2017, 28th June, 2017, 23rd November, 2017 and 1st March, 2018. At the hearing on 01/03/2018, the attendance was as follows :

Respondent : Absent

3. **Relevant facts emerging during the hearing**

3.1 At the hearing on 23/11/2017, directions given by the Appellate Authority were as follows:

*“Absence of any representation and non-furnishing of Action Taken Report as mentioned at para 3.2 above of the hearing order dated 28/06/2017, is brought to the notice of **Deputy Commissioner (Shahdara South Zone), East DMC**, being the Competent Authority under Delhi Right to Information Act, 2001.*

Attention of Deputy Commissioner (Shahdara South Zone), East DMC, is also brought to the fact that different replies / information are being provided by the department in response to the applications moved by Shri Bhuwan Chand Sati, is brought to the personal attention of the Deputy Commissioner (Shahdara South Zone), East DMC. He is directed to initiate an inquiry against the concerned AE / JE, Shahdara South Zone, East DMC, for providing differing replies in respect of the same property.

An Action Taken Report, alongwith the explanations of all the concerned officers, shall be submitted for perusal of the Commission on the next date of hearing.

A senior representative shall be deputed to attend the next hearing in this appeal case, with a reply (in duplicate)”.

3.2 At today's hearing on 01/03/2018, no official was present on behalf of the Competent Authority under Delhi Right to Information Act, 2001 i.e. Deputy Commissioner (Shahdara South Zone), East DMC. As such, today's hearing in this appeal case was rendered infructuous. It is pertinent to mention here that in the last hearing held on 27.11.2017, no representative of the department was present.

4. **Directions of the PGC**

4.1 **Attention of Commissioner (East Delhi Municipal Commissioner)** is brought to the fact that in the present appeal case, the appellant asked for some information in respect of property No. 21-A, J&K Block, Lakshmi Nagar. The Competent Authority i.e. D.C. (Shahdara South Zone) vide letter dated 28.06.2017 provided the information to the appellant in respect of property No. 21, J&K Block, Lakshmi Nagar and further clarified in the reply that no property in the address of 21-A, J&K Block, Lakshmi Nagar has been booked against unauthorized construction. However, the appellant submitted a reply dated 21.10.2014 provided by the department in respect of his RTI application that property No. 21 A, J&K Block, Lakshmi Nagar has been booked vide File No. 183/B/UC/Sh(S)/2013 dated 12.07.2013.

4.2 The present appeal case has been closed by the Commission vide order dated 28.06.2017, however Deputy Commissioner (Shahdara South Zone), East DMC, is directed to initiate an inquiry against the concerned AE/JE, Shahdara South Zone, East DMC for providing different replies in respect of the same property. Since then, two hearings i.e. on 23.11.2017 and 01.03.2018 were held but nor any representative on

behalf of the Competent Authority appeared neither any Action Taken Report has been submitted.

- 4.3 **Commissioner (East Delhi Municipal Corporation)** is advised to look into the matter personally and direct the Deputy Commissioner (Shahdara South Zone) to submit an Action Taken Report, as directed by the Commission in earlier orders at the earliest.

With the above observations, the present case is ordered to disposed of before the Appellate Authority / Member (PGC)

(SUDHIR YADAV)
APPELLATE AUTHORITY / MEMBER (PGC)

Copy to:

1. Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan. Patparganj Industrial Area, Delhi-110 096.
2. Deputy Commissioner (Shahdara South Zone), East DMC, Zonal Office Building, Karkardooma, Shahdara, Delhi – 110 032.