

**OFFICE OF THE APPELLATE AUTHORITY**  
**DELHI RIGHT TO INFORMATION ACT 2001**

**PUBLIC GRIEVANCES COMMISSION**  
**Govt. of National Capital Territory of Delhi**

Date of hearing: 1<sup>st</sup> March, 2018

Appellant : **Shri R. L. Makhija**

Competent Authority : **Engineer-in-Chief,**  
 North Delhi Municipal Corporation  
 6<sup>th</sup> Floor, E-I Wing Dr. Shyama Prasad Mukherjee Civic  
 Centre, Jawahar Lal Nehru Road,  
 New Delhi – 110 002.

Appeal No. : 244/2017/PGC/DRI/NDMC  
 Application filed on : 05.06.2017  
 Response of Competent Authority : No response  
 Appeal filed on : 02.07.2017  
 First hearing in PGC, Scheduled : 01.03.2018

Ref. No. RLM/2017-18/34 dt. 05.06.2017

**1. Brief facts of the Appeal**

Shri R. L. Makhija filed Form-A during June, 2017, under the Delhi RTI Act, 2001, with the Competent Authority i.e. Engineer-in-Chief, North DMC, seeking information on total 20 counts.

Shri R. L. Makhija received no response from the Office of Engineer-in-Chief, North DMC. Hence, he filed an Appeal during July, 2017, 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 has convened its hearing on 1<sup>st</sup> March, 2018. At today's hearing on 01/03/2018, the attendance was as follows:

Appellant : Present

Respondent : Shri Deepak Kumar, J.E. (B), KBZ, North DMC  
 Shri R.K. Sharma, A.E. (B) (HQ), North DMC

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

3.1 At today's hearing representative of the department submitted that a reply dated 27.02.2018 had already been sent to the appellant. He submitted a copy of the same before the Appellate Authority (copy placed in the file). A copy of the same was also given to the appellant during the hearing. The appellant submitted that the information provided is not satisfactory and requested to consider his objections. He was directed to submit a written objection in this regard.

**3.3 The reply furnished by the department as well as written submission filed by the appellant has been perused by the Appellate Authority and observed as under:-**

3.4 In respect of Query Nos. 1 to 7, 17, 18 & 19 the department has informed that building plan in respect of Sidharth Hotel, Rajendra Place, New Delhi was submitted vide File No. 379/B/HQ/2009 dated 08.07.2009. It has been reported that the file is not found in record since trifurcation. The efforts are being made by the record keeper to trace out the same from the record. It has further been informed that the File No. 117(4)77/Bldg. related to Jay Pee Hotels Ltd. At Plot No. 3, Rajinder Place is available in record and the appellant may inspect the same.

3.5 The information provided is not satisfactory. Since the information sought by the appellant is specific, the Competent Authority is directed to provide the information relating to Query Nos. 1 to 7, if it is available in the file on record. However, the department must specify the efforts being made to trace the file No. 379/B/HQ/2009. In the event that the file is not traceable, then the department shall fix the responsibility of the concerned official, who is responsible for safe keeping of official record.

3.5 In respect of Query No. 11, the information provided is not satisfactory, the department shall inform the date on which demolition / sealing action was got done as per the DMC Act.

**4. Directions of the Appellate Authority / PGC**

4.1 Since the department has provided satisfactory reply in respect of Query Nos. 8, 9, 10, 12 to 16 and 20, no further action is required in the matter.

4.2 In respect of Query Nos. 1 to 7, 11, 17, 18 & 19, the Competent Authority is directed to furnish a revised reply to the appellant, as advised in para 3.4 and 3.5

above to the appellant within 15 days from the date of receipt of this Order, with a copy to the Commission.

- 4.3 The reply should be furnished to the appellant under the signatures of Competent Authority, properly stamped, having the name of the Competent Authority (documents, if any, appended with the reply should be certified either by the Competent Authority or an official deputed by the Competent Authority).

With the above observations and directions, the present appeal case is ordered to be disposed off before the Appellate Authority / Member (PGC).

(SUDHIR YADAV)  
APPELLATE AUTHORITY/MEMBER, PGC

**Copy to:**

1. Engineer-in-Chief, North Delhi Municipal Corporation, 6<sup>th</sup> Floor, E-I Wing, Dr. Shyama Prasad Mukherjee Civic Centre, Jawahar Lal Nehru Road, New Delhi – 110 002.
2. Shri R. L. Makhija