

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

[Under Section 7, Delhi Right to Information Act, 2001]

**Appeal No. 437,440,442,443,444 & 445/2017/PGC/DRTI/NDMC dated
21.10.2016**

Date of Hearing : 12.07.2018

Appellant : Sh. Krishan Gopal Kaushik

Competent Authority : Deputy Commissioner (City S.P. Zone)
North DMC

Application under DRTI filed on 22.08.2016

The parties involved in all the Appeals are common. These six Appeals are being clubbed together for hearing and disposal to avoid multiplicity of the proceedings and effective adjudication.

**Appeal No. 437/2016/PGC/DRTI/NDMC
Appeal No. 440/2016/PGC/DRTI/NDMC
Appeal No. 442/2016/PGC/DRTI/NDMC
Appeal No. 443/2016/PGC/DRTI/NDMC
Appeal No. 444/2016/PGC/DRTI/NDMC
Appeal No. 445/2016/PGC/DRTI/NDMC**

Background:

The appellant vide his 6 (six) DRTI applications had sought information on 3 (three) counts. Aggrieved by non-receipt of any information, he filed the present appeal.

Proceedings:

Appellant present. Shri A.K. Jain, A.E. (B), CSPZ, present on behalf of the respondent.

The Commission vide its order dated 28.03.2017 and again vide order dated 15.06.2017, had directed the Competent Authority to furnish a revised reply in respect of Query No. 3 to the appellant within 2 weeks from the date of issue of this Order with a copy to the Commission.

In the present appeal cases, three hearings have been held in the last over one year. As per the Act, the replies are required to be furnished within 30 days of the receipt by the Competent Authority in case of Appeal, the Commission is required to dispose of the appeals within 30 days from the date of presentation of the Appeal. The delay in disposal of appeals is directly attributed to the Competent Authority since the directions

of the Appellate Authority is yet to be complied despite the fact that during the last hearing on 15.06.2017, Sh. Vinod Bansal representing the department / Competent Authority requested for some more time had assured that the reply will be furnished within two weeks.

Decision:

The Competent Authority i.e. Deputy Commissioner (City S.P. Zone), North DMC is directed to explain the reasons of undue delay in furnishing the requisite information to this Commission and also furnish the requisite information the appellant within one week from the date of receipt of this Order. This shall be treated as the last opportunity granted under Section 7 (3) of the Delhi Right to Information Act-2001, failing which a final decision shall be passed by the Commission.

Competent Authority is further directed to seek the clarification of the officer present on 15.06.2017 before the Commission and submit the same with proposed action in the matter.

The earlier reply dated 06.01.2017 has not been signed by the Competent Authority, he is directed to furnish a revised reply in respect of all the queries, directly to the appellant within one week from the date of receipt of this order, with a copy marked to the Commission, under his own signature / stamp.

With the above observations, the Appeal stands disposed.

(SUDHIR YADAV)

Member,
Public Grievances Commission

Authenticated true copy.

(JYOTI SETH)

F. No. Appeal (437 etc.)/2016/PGC/DRTI/NDMC/

Dated :

1. The Commissioner, North Delhi Municipal Corporation, 4th Floor, Dr. S.P.M. Civic Centre, J.L. Nehru Marg, New Delhi – 110 002 for favour of information.
2. Ms. Ruchika Katyal, Deputy Commissioner (City S.P. Zone), Nigam Bhawan, Old Hindu College Building, Kashmere Gate, Delhi – 110 006, for necessary action.
3. Shri Krishan Gopal Kaushik