

OFFICE OF THE APPELLATE AUTHORITY
DELHI RIGHT TO INFORMATION ACT 2001

PUBLIC GRIEVANCES COMMISSION
Govt. of National Capital Territory of Delhi

Date of hearing: 10th May, 2018

Appellant : **Capt. Zozaf**

Competent Authority : Deputy Commissioner (Advertisement Deptt),
North DMC,
16th Floor, Dr. S.P.M. Civic Centre,
Minto Road, New Delhi – 110 002.

Appeal No. : 408/2017/PGC/DRI/NDMC
 Application filed on : 03/08/2017
 Response of Competent Authority : Not satisfy with the response
 Appeal filed on : 21/09/2017
 First hearing in PGC on : 10/05/2018

1. Brief facts of the Appeal

Capt. Zozaf sought information, during August, 2017, from the Competent Authority under Delhi RTI Act, 2001, i.e Deputy Commissioner (Advertisement), North DMC, seeking information on total 13 queries.

Capt. Zozaf did receive a reply from the Deputy Commissioner (Advertisement), North DMC. However, being aggrieved with the same, he filed an Appeal during September, 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 convened its first hearing on 10th May, 2018. At the hearing on 10/05/2018, the attendance was as follows :

Appellant : Present

Respondent : Sh. S.K. Bhardwaj, PIO, North DMC

3. Relevant facts emerging during the hearing

3.1 At today's hearing representative of the department had informed that a reply had already been furnished to the appellant vide letter dated 06/09/2017 (copy placed in the file).

3.2 On perusal of the reply, it has been revealed that the information furnished by the department has not been signed by the Competent Authority. Further, the reply has been

furnished under Right to Information Act-2005. It is pertinent to mention here that the appellant had filed his application under Delhi Right to Information Act-2001 and the reply should invariably be furnished as per the provisions of Delhi Right to Information Act-2001 and the reply should be signed by Competent Authority only.

3.3 However, to avoid further delay in the matter, information furnished by the department has been perused. The department had provided satisfactory information in respect of Query Nos. 4, 5 and 7 to 13, hence no further action is required in the matter. However, in respect of Query Nos. 1, 2, 3, and 6 the department had submitted that the same cannot be furnished being personal information, which is not correct.

3.4 In respect of Query Nos. 1, 2 and 3 the Competent Authority is directed to provide the information regarding posting and duration of posting of Sh. Naresh Kumar, UDC in different branches of the department, if record is available with the Competent Authority.

3.5 In respect of Query No. 5, attendance record in respect of Sh. Naresh Kumar, if available with the department be provided after blackening / masking the columns in respect of other employees.

4. Directions of the PGC

4.1 Competent Authority i.e. Deputy Commissioner (Advertisement), North Delhi Municipal Corporation is directed to provide comprehensive, pointwise revised reply to the appellant within 15 days from the date of issue of this order, with a copy to the Commission as advised in para 3.2 to 3.5 above.

4.2 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 / directions the present appeal case is ordered to be closed before the Appellate Authority / Member (PGC).

**(SUDHIR YADAV)
APPELLATE AUTHORITY / MEMBER (PGC)**

Copy to:

1. Deputy Commissioner (Advertisement), North Delhi Municipal Corporation, 16th Floor, DR. S.P.M. Civic Centre, Minto Road, New Delhi-110 002.
2. Capt. Zozaf