

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

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

Date of Hearing : 10.12.2018

Date of Decision : 10.12.2018

Applicant : Sh. Sanjay Dayal

Respondent : Deputy Commissioner (City SP Zone), North DMC

Appeal No : 317/2018

Appeal filed on : 20.08.2018

DRTI Application filed on : 21.06.2018

Competent Authority replied on : No response

1. Background

Sh. Sanjay Dayal, the appellant vide DRTI application dated 21.06.2018 has sought information on total 5 counts.

The appellant did not receive any information from the Competent Authority i.e. Deputy Commissioner (City SP Zone), North DMC. Aggrieved by the same, he filed an appeal before the Appellate Authority, Public Grievances Commission under Section 7 of DRTI Act -2001.

2. Proceedings

The appellant is present and heard.

Shri R.A. Goel, AE (M-II), Shri Nitesh Gupta, AE (M-I), Shri Gopinathan T.K., AO, and Shri Manoj Vats, ASO, City-SP Zone, are present on behalf of the Competent Authority. The officers present on behalf of the department submitted copies of replies vide which information has been provided to the appellant.

The Appellate Authority / PGC observes that information has been provided from different departments under City SP Zone separately. This is not acceptable under the Delhi Right to Information Act, 2001. The Appellate Authority / PGC has on numerous occasions, ordered that it is incumbent upon the Competent Authority to collect the requisite information from all the branches / department under his / her jurisdiction and provide a comprehensive point-wise reply to the appellant, instead of such fragmented information provided in the instant appeal case. The Competent Authority viz. Deputy Commissioner (City SP Zone), North DMC, is advised to be more careful in future.

However, just to save the time of the Commission as well as the appellant who is present in the hearing today, the reply of the department was perused. It is

observed that the department has provided satisfactory information in respect of query nos. 1 & 2. The appellant is also satisfied with the same.

In response to query no. 3, it is observed that Maintenance I Branch has provided satisfactory information but the information provided by the Maintenance II Branch is not satisfactory. Shri R.A. Goel, AE (M-II), assured that a proper reply shall be made available to the appellant within 10 days.

In query no. 4, the appellant has sought information regarding the procedure adopted by the department for taking action consequent upon receipt of a complaint alleging the unauthorized construction. The reply provided by the department is not found to be satisfactory. The department shall clearly mention the procedure adopted by it for dealing with complaints alleging unauthorized construction under its jurisdiction.

In response to query no. 5, the department has mentioned that the appellant can inspect the available record on any working day between 11 a.m. and 2:00 p.m. **During the hearing today, it was mutually agreed that inspection shall be accorded to the appellant on Monday, 17th December, 2018 at Room No. 203, Second Floor, Old Hindu College Building, Nigam Bhawan, Kashmere Gate, Delhi – 110 006.**

3. Decision

Since the department has provided satisfactory information in respect of query nos. 1 & 2, no further action is required to be taken on these points.

In respect of query no. 3, the Deputy Commissioner (City SP Zone), North DMC, shall collect the requisite information from M-II Branch and furnish the same to the appellant within 10 days of receipt of this order, under intimation to the office of this Appellate Authority / PGC.

In response to query no. 4, a revised reply shall be sent to the appellant as advised above.

In response to query no. 5, inspection of relevant record shall be accorded to the appellant on the date and time mentioned above. Thereafter, copy of documents, identified by the appellant, after inspection of relevant record, shall be furnished to him, on payment of prescribed fee, in accordance with the provisions of Delhi Right to Information Act & Rules, 2001.

With the above direction, **the appeal case is ordered to be closed before the Appellate Authority / PGC.**

(ASHOK KUMAR)
CHAIRMAN,
Public Grievances Commission

Copy to :

1. Ms. Ruchika Katyal, Deputy Commissioner (City SP Zone), North DMC, 1st Floor, Old Hindu College Building, Nigam Bhawan, Kashmere Gate, Delhi – 110 006.
2. Shri Sanjay Dayal