

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

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

**Appeal No. 503,504 and 505/2018/PGC/DRTI/ North DMC dated
12.11.2018**

Date of Hearing : 25.3.2019

Appellant : Sh. Vivek Bansal

Competent Authority : Dy. Commissioner, C.L.Zone
North DMC

Application under DRTI : 20.9.2018

Since the parties involved in the Appeals are common, these various Appeals are being clubbed together for hearing and disposal to avoid multiplicity of the proceedings and effective adjudication.

1 Background :

The appellant vide DRTI application dated 20.9.2018 has sought information on total 18 points each . Aggrieved with non receipt of any information from the Competent Authority, he filed these appeals.

2 Proceedings

Perusal of the three DRTI applications of the appellant reveals that he has sought information relating to Plot nos. 12, 17 and 18, North Ex. Model Town, New Delhi.

The appellant is present. Sh. D.S. Chahal, AE (Bldg.) C. L. Zone, North DMC is present on behalf of the department. The representative of the department submitted a letter dated 22.3.2019, vide which the department has informed that the information sought by the appellant closely relates to the office of DDA as the building activities of North Ex. Model Town area falls under DDA. It has further been informed that the DRTI applications of Sh. Vivek Bansal were neither received in the office of the Dy. Commissioner, CL Zone nor in the office of the Executive Engineer (Bldg.), CL Zone. A copy of the letter dt. 22.3.2019 was submitted in the hearing today.

The appellant states that his three applications were transferred to DDA in January 2019 under RTI Act 2005, even though he had sought information under DRTI Act 2001. Therefore the reply of the department that his applications were not received in the C.L. Zone is wrong and misleading. The appellant further submits that he had applied for this information in the month of Sept. 2018 and the department has expressed its inability to

provide the information at this belated stage. This reply could have easily been provided immediately after receipt of his application under DRTI Act 2001.

3 Decision

The arguments put forward by the appellant in the hearing today are valid. The department cannot take 06 months just to inform the appellant that they do not hold the information. If the area for which the information has been sought does not fall under the jurisdiction of CL Zone, then the same should have been immediately informed to the appellant and his application should not have been transferred to DDA, since under the DRTI Act 2001 there is no provision for transfer of application from one Competent Authority to another.

The matter is brought to the personal attention of the Competent Authority i.e. Dy. Commissioner, C.L. Zone, North DMC. He is advised to ensure that such delays do not occur in future and also refrain from providing misleading information. The staff should also be sensitized accordingly.

The appellant is advised that he may apply to DDA under RTI Act 2005 for seeking the requisite information, if he so desires.

With the above direction, the present appeal cases are ordered to be closed in the Commission.

(ASHOK KUMAR)

Chairman,
Public Grievances Commission

Copy to:-

- 1 Sh. Pankaj Kumar, Dy. Commissioner, C.L.Zone, 16 Rajpura Road, Delhi-110 054
- 2 Sh. Vivek Bansal