

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

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

Appeal No. 598/2018/PGC/DRTI/ EDMC dated 21.12.2018

Date of Hearing : 7.5.2018

Appellant : Sh. Vivek Bansal

Competent Authority : Dy. Commissioner, Shahdara North Zone
East DMC

Application under DRTI : 25.10.2018

1 Background :

The appellant vide DRTI application dated 25.10.2018 has sought information on total 06 points. Aggrieved with non receipt of any information from the Competent Authority, he filed this appeal.

2 Proceedings

The appellant is present. Sh. Ankit Srivastava, AA&C, A&C Deptt., Shahdra North Zone, East DMC is present on behalf of the department . The representative of the department informed that point-wise reply has already been sent to the appellant on 16.1.2018. A copy of the same was submitted during the hearing in the Commission today.

The reply has been perused . The department has informed that no information relating to property no. 1/1449/109, Gali no. 03, Khasra No. 440-441, 100 futa road Durgapuri Shahdra, is available in the record of Assessment and Collection department, Shahdra North Zone. The property nos. in Durgapuri Colony begins with 1449 instead of 1/1449. The assessment record of Durgapuri Colony, as per A&C department, contains property nos. 1449/1A, 1449/1B etc. and there is no record in respect of property no. 1/1449/109. The department has further submitted that under the DRTI Act 2001, the Competent Authority in respect of Assessment and Collection Department, EDMC is the Assessor and Collector and therefore the appellant should have addressed his DRTI application to the Assessor and Collector, EDMC.

The appellant submits that the information submitted by the department is false and misleading, since in response to his PGMS complaint, the building department of Shahdra North Zone has informed him, vide letter dt. 16.1.2018, that the property no. 1/1449/109 is being constructed after getting the building plan sanctioned from EDMC vide ID No. 10039868 dt. 14.6.2017. He further submits that the department has already provided him information in respect of the same property in another DRTI case. Thus the property no. mentioned by him is correct.

3 Decision

The stand of the department that the Assessor and Collector, EDMC is the Competent Authority is accepted by the Appellate Authority. The appellant is advised to submit his DRTI applications in the office of the Assessor and Collector, EDMC in future.

However, the Joint Assessor and Collector may look into the matter, particularly in view of the fact that the Building Department of Shahdra North Zone has provided the information to the appellant in which the property no. has been clearly mentioned as 1/1449/109. Therefore record pertaining to this property is available in the Shahdra North Zone. There might be a slight variation in the property number, but in view of the earlier reply given by the department, the A&C department may recheck their records. Copies of earlier replies of the department, submitted by the appellant, were handed over to the departmental representative in the hearing today, to enable the department to trace the relevant records.

As mentioned above, the appellant is advised to submit his DRTI application in the office of Assessor and Collector, EDMC in future.

The matter is accordingly disposed of at the Commission's end.

(ASHOK KUMAR)

Chairman,

Public Grievances Commission

Copy to:-

- 1 Joint Assessor and Collector, Assessment & Collection Department, Shahdra North Zone, East DMC, near Shyam Lal College, GT Road , Shahdara, Delhi-110 032.
- 2 Sh. Vivek Bansal