

OFFICE OF THE APPELLATE AUTHORITY **DELHI RIGHT TO INFORMATION ACT 2001**

PUBLIC GRIEVANCES COMMISSION **Govt. of National Capital Territory of Delhi**

Date of hearing : 21st March, 2018

Appellant : **Shri S.C. Sharma,**

Competent Authority : **The Additional Registrar (Administration),
Office of Registrar Cooperative Societies,
Govt. of NCT of Delhi,
Parliament Street,
New Delhi – 110 001.**

Appeal No. : 587/2017/PGC/DRI/RCS

Application filed on : 25/10/2017

Response of Competent Authority : Appellant is not satisfied with the response

Appeal filed on : 30/11/2017

First hearing in PGC on : 21/03/2018

1. Brief facts of the Appeal

Shri S.C. Sharma filed Form A during October, 2017, with the Competent Authority under Delhi RTI Act, 2001, i.e. Additional Registrar (Administration), Office of Registrar Cooperative Societies, making queries on total 6 counts

Shri S.C. Sharma did receive response from the Office of Additional Registrar (Administration), Office of Registrar Cooperative Societies, but he was not satisfied with the same. Hence, he filed an Appeal during November, 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 PGC has convened its first hearing on 21st March, 2018. At today's hearing on 22/03/2018, the attendance was as follows :

Appellant : Representative of the appellant present

Respondent : Shri Sanjay Jain, ARCS, O/o RCS

3. Relevant facts emerging during the hearing

- 3.1 Ms. Alka Sharma, representative of the appellant reached the office of PGC at 2:25 P.M., but could not be present during the hearing of the appeal case since, as stated by her she has to appear in the Hon'ble Supreme Court in an urgent matter.
- 3.2 At today's hearing on 21/03/2018, Shri Sanjay Jain, ARCS submitted a reply signed by the Competent Authority vide which the department has rebutted the grounds of appeal

raised by the appellant. It has been informed that in response to DRTI reply, dated 15/12/2017, Ms. Alka Sharma visited the office on 20/12/2017 and identified 44 pages for providing the certified copies. While department's office letter dated 28/12/2017, the appellant was requested to deposit Rs.220/-, as cost for the 44 pages and also, a sum of Rs.180/- for the inspection of the files for a duration of 3 hours on 20/12/2017, as per the DRTI Act and Rules, 2001.

4. Directions of the Appellate Authority / PGC

- 4.1 The appellant / his representative is directed to deposit Rs.400/-, as mentioned in the letter of the Additional Registrar Cooperative Societies and collect the certified copies of the documents identified by her within 2 weeks of issue of this order.
- 4.2 It is further directed that if the appellant / his representative desires to inspect more files on this subject, since as mentioned by Ms. Alka Sharma that there are a number of files related to this matter and it is not possible to inspect all the files in one go, then the same may be allowed by the department after intimating a suitable date and time to the appellant well in advance.
- 4.3 The Appellate Authority / PGC also notes that the initial reply, dated 17/11/2017, to the DRTI application of the appellant, was issued under the signatures of PIO / ARCS. In spite of repeated directions from the Appellate Authority / PGC that only the Competent Authority is authorized to furnish information under the Act, still the department remains unaware of the provisions of the Act. **This is brought to the personal attention of the Registrar, Cooperative Societies, with the advice that the officers in the department handling DRTI matters may be directed to dispose of the applications submitted under the DRTI Act, keeping in mind the provisions and the true spirit of the Act.**

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

(SUDHIR YADAV)
MEMBER (PGC) / APPELLATE AUTHORITY

Copy to:

1. The Registrar, Office of Registrar Co-operative Societies, Govt. of NCT of Delhi, Parliament Street, New Delhi.
2. The Additional Registrar (Administration), Office of Registrar Co-operative Societies, Govt. of NCT of Delhi, Parliament Street, New Delhi.
3. Shri S.C. Sharma