

OFFICE OF THE APPELLATE AUTHORITY
DELHI RIGHT TO INFORMATION ACT 2001

PUBLIC GRIEVANCES COMMISSION
Govt. of National Capital Territory of Delhi

Date of hearing: 3rd May, 2018

Appellant : **Shri Manoj Kumar Sharma**

Competent Authority : **Deputy Commissioner (City S.P. Zone),
North DMC,
Old Hindu College Building,
Kashmere Gate, Delhi-110 006.**

Appeal No. : 416/2017/PGC/DRI/NDMC

Application filed on : 17/08/2017

Response of Competent Authority : No response received

Appeal filed on : 16.10.2017

First hearing in PGC : 03/05/2018

Scheduled on

1. Brief facts of the Appeal

Shri Manoj Kumar Sharma sought information, during August, 2017, from the Competent Authority under Delhi RTI Act, 2001, i.e. Deputy Commissioner (City S.P. Zone), North DMC, making queries on total 10 counts.

Shri Manoj Kumar Sharma did not receive a response from the Office of Deputy Commissioner (City S.P.Zone), North DMC. Hence, he filed an Appeal during October, 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 3rd May, 2018. At the hearing on 03/05/2018, the attendance was as follows :

Appellant : Absent

Respondent : Sh. A.K. Jain, A.E. (B), City SP Zone, NDMC

3. Relevant facts emerging during the hearing

- 3.1 At today's hearing on 03/05/2018, appellant was not present. Representative of the department informed that a reply had already been sent to the appellant vide letter dated 27.04.2018. He submitted a copy of the same before the Appellate Authority / Member (PGC).
- 3.2 On perusal of reply furnished by the department, it has been revealed that the information sent to the appellant with a covering letter signed by the Competent Authority. However, enclosed information has not been signed by the Competent Authority. It is pertinent to mention here that as per DRTI Act, information should be signed by the Competent Authority.
- 3.3 In respect of Query Nos. b, c, d, e & f, the department had submitted that "The information sought by the appellant through this point is regarding Action taken Report of property as mentioned in your DRTI. In this regard it is submitted that "Redressal of grievance thereby straining the resources of the commission and the public authority is prohibited as per misuse of D-RTI Act. Referred to "Thardas Amulrai Choithani Vs. Life Insurance Corporation of India, Vadodra decided on 21.05.2010". This reply is not acceptable.
- 3.4 On perusal of Query No. b, c, d, e & f, filed by the appellant, it has been observed that the appellant had asked action taken on the complaint filed by him on 17.08.2017. If the Competent Authority is of the opinion that the information sought is voluminous, that Authority may call the appellant for inspection of record and provide the information / documents as required by the appellant.
- 3.5 In the reply in respect of Query No. g, the appellant had already been asked to inspect the record on 14.05.2018. Competent Authority is directed to ensure that all the available record should be made available for inspection not only in respect of Query No. g, but in respect of Query No. b, c, d, e & f.
- 3.6 During inspection, inspection charges @ Rs.15/- for every 15 minutes shall be charged as per DRTI Rules and photocopy of the documents, as required by the appellant, should be provided @ Rs. 5/- per page.

4. Directions of the PGC

- 4.1 The matter is brought to the personal attention of Competent Authority i.e. Deputy Commissioner (City S.P. Zone), North DMC with the direction to ensure that all the

concerned record should be made available to the appellant for inspection on the date and time already informed to the appellant.

- 4.2 Competent Authority is further directed** to furnish a comprehensive reply to the appellant within 15 days from the date of issue of this Order with a copy to the Commission.
- 4.3** 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 (City Sadar Paharganj Zone), North DMC, Kashmere Gate, Delhi-110 006.
2. Shri Manoj Kumar Sharma