

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

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

Appeal No. 344/2018/PGC/DRTI/East DMC dated 11.9.2018

Date of Hearing : 8.1.2019

Appellant : Sh. Richard Wallace

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

Application under DRTI : 3.8.2018

1 Background :

The appellant vide DRTI application dated 3.8.2018 has sought information on total 06 points. Aggrieved by non-receipt of information from the Competent Authority, he filed this appeal.

2 Proceedings

The appellant is present. Sh. Uma Shankar, Zonal Supdt. and Sh. Anil Kumar Singh, UDC Shahdra North Zone, East DMC are present on behalf of the Competent Authority. They submitted a reply dt. 7.1.2019 vide which point-wise information has been provided.

The reply has been perused and it is observed that the same is not only unsatisfactory but also not in accordance with the provisions of DRTI Act 2001, since it has been signed by the Asstt. Commissioner of the Zone, who is not the Competent Authority notified by the Govt. of NCT of Delhi under the Act. This fact was brought to the notice of the Dy. Commissioner Shahdra North Zone, who shall enquire under what capacity the Asstt. Commissioner has provided the information to the Commission since he is not authorised to do so. This clearly reflects his lack of knowledge about the provisions of the DRTI Act 2001. It is further observed that the reply has been furnished only on 07th January 2019 in response to this Commission's hearing notice dt. 15.10.2018 i.e. after a lapse of nearly 03 months. These facts were telephonically brought to the knowledge of the Dy. Commissioner, Shahdra North Zone by the Appellate Authority. The Dy. Commissioner, Shahdra North Zone, East DMC was advised to sensitize the staff dealing with applications under DRTI Act to dispose of the applications keeping in mind the provision of the Act.

The appellant presented few photographs which highlighted the rampant encroachments in the area by various shopkeepers who are running motor spare parts shop, food joints

etc. in a residential area. The photographs were shown to Sh. Rajesh Sharma, E.E. (Bldg.) Shahdara North Zone, who is present in the Commission in another case. Sh. Rajesh Sharma informed that the concerned area is under his jurisdiction and assured the Commission that he shall take necessary action against the unauthorised activities under the DMC Act 1957.

3 Decision

As mentioned above, the matter is again brought to the notice of the Competent Authority viz. Dy. Commissioner with the advice to sensitize the staff about the provision of the DRTI Act 2001 so that the Act is followed in its true spirit.

Since the relief being sought by the appellant is beyond the purview of the DRTI Act 2001, it is hereby directed that the present appeal case be transferred to the Grievance branch for fixing the matter for regular hearing as a grievance.

Accordingly it is hereby ordered that the present appeal case is disposed of in the Commission

(ASHOK KUMAR)

Chairman,
Public Grievances Commission

Copy to:-

- 1 Sh. Sanjeev Kumar, Deputy Commissioner, Shahdara North Zone, East DMC, Keshav Chowk, near Shyam Lal College, Shahdara, Delhi-110 032.
- 2 Sh. Rajesh Sharma, E.E. (Bldg.) Shahdara North Zone, East DMC, Keshav Chowk, near Shyam Lal College, Shahdara, Delhi-110 032
- 3 Dy. Secretary (PGC) looking the grievance cases pertaining to MCD for fixing the case for regular hearing as a grievance case.
- 4 Sh. A.K. Singh, Asstt. Commissioner Shahdara North Zone, East DMC, Keshav Chowk, near Shyam Lal College, Shahdara, Delhi-110 032
- 5** Sh. Richard Wallace