

PUBLIC GRIEVANCES COMMISSION

(Govt. of National Capital Territory of Delhi)

APPELLATE AUTHORITY

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

Appeal No. : 4275/2026

Date of Hearing : 08/10/2026

Applicant : Ms. Mamta Tiwari

Respondent : Divisional Commissioner (Revenue Department)

Application filed on : 10/02/2026

Appeal filed on : 23/03/2026

1. Background

Ms. Mamta Tiwari , the appellant vide her application dated 10/02/2026 under Delhi Right to Information Act, 2001 had sought information from the Divisional Commissioner, Revenue Department /Competent Authority under the DRTI Act, 2001.

Being aggrieved by the non-receipt of any information from the department, appellant filed this appeal dated 23/03/2026 before the Appellate Authority/ Public Grievances Commission, under Section 7 of DRTI Act, 2001.

2. Proceedings

Sh. Tarun Kumar Shukla represented the appellant Ms. Mamta Tiwari with authority letter.

Neither the Competent Authority nor any representative on behalf of the Competent Authority is present.

This appeal has been filed under section 7(1) of the DRTI Act, 2001 on 23/03/2026 by the appellant, wherein the appellant had prayed for setting aside the reply dated 18/02/2026 by which the appellant was informed that DRTI application filed by the appellant before the Divisional Commissioner (Revenue) concerning the information related to District Magistrate (East), Revenue Department who is the Competent Authority for this information to file the fresh DRTI application before District Magistrate (East), Revenue Department.

The matter was also agitated through W.P. (C) 12990/2026 and CM APPL. 60339/2026 in which the Learned Court issued directions that the present petition filed before the Hon'ble High Court to be treated as representation on behalf of the petitioner and the respondents are directed to decide the same.

3. Decision :

The DRTI Act, 2001 has no provision by which the application under DRTI Act, 2001 which is filed before the Competent Authority which does not have the information to transfer to the Competent Authority who has the asked information and accordingly the Divisional Commissioner has advised the appellant to file a fresh DRTI application. But in this case despite lack of provision in the DRTI Act, 2001, it would have been appropriate if the said application had been transferred to DM (East) as Divisional Commissioner (before whom the DRTI application was filed) is the supervisory authority over the Dy. Commissioner of Districts and the information which is sought in this case is related to the particular district i.e. District (East) therefore the application should have been sent to the DM (East) to be treated as DRTI application being made before DM (East).

Accordingly the letter dated 18/02/2026 is set aside and the DRTI application dated 10/02/2026 is sent to office of the Competent Authority i.e. DM (East) to reply to it as per the provision of the DRTI Act, 2001 within 30 days.


(DHARMENDRA)

APPELLATE AUTHORITY/ CHAIRMAN, PGC

No. Appeal/4275/2026/PGC/DRTI/Rev./ 10998-997

Dated : 14/10/26

To,

1. The Divisional Commissioner (Revenue Department), 5, Sham Nath Marg, Civil Lines, Delhi- 110055.
2. The District Magistrate (East), District -East, L.M. Bandh, Shastri Nagar, Delhi- 110031.