Adjunct to Appeal : No. CIC/LS/A/2010/000894-DS

Appellant /Complainant : Ms Gita Diwan Verma, New Delhi

Public Authority : Delhi Development Authority, N.Delhi

(Dy.Director/CPIO and Sh. K.Sriragavan, CPIO)

Date of Hearing : 10 June 2011
Date of Decision : 10 June 2011

Facts:-

1. Ms Gita Dewan Verma submitted RTI application dated 1 December 2009 before the CPIO, Deputy Director planning – I, DDA, New Delhi seeking information pertaining to Local Area Plans and zonal plans of MPD 2021 through four points – enclosed herewith as Annexure A.

2. Vide CPIO order dated 5 February 2010, point wise information was provided.

3. Applicant preferred appeal dated 6 March 2010 before the first appellate authority.

4. Matter was decided by FAA order dated 19 April 2010 whereby The Deputy Director (planning)–IMPPR/PIO was directed to procure all the files/records dealing with a matter and provide opportunity of inspection to the applicant. He was also directed to provide specific and subject wise replies. In respect of points number 2 and 3 he was also asked to provide opportunity of inspection of the concerned file by the appellant. The RTI application was also forwarded to the CPIOs of MCD, NDMC and Cantonment Board to provide information directly to the appellant.

5. Not being satisfied with the above orders the appellant preferred second appeal before the Commission. Matter was heard 7 April 2011 and is reviewed again today. Both parties were present as above in person and made submissions.

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6. Appellant stated that so far she had been shown only two files in the month of November 2010. These files were held by Joint Dir (MP) and Joint Dir (DC) to whom the RTI application had been forwarded under section 6 (3) of the Act. Appellant expressed her doubts whether they were in fact only two files on the subject. Accordingly above-mentioned officers are directed to provide affidavit to the Commission that there are no other files other than the two files that have been shown to the appellant namely 'Review of Zonal Plan for Notification –F 1 (1) 06/ZP' and 'Guidelines for Preparation of Sanction of Local Area Plans –F 3 (84) 2008 /MP' on this subject. In case other files are available, respondent will list out all the files he can offer to the appellant for inspection and also clearly state that there are no other files on the subject available with them.

7. In respect of points 2 and 3, Joint Dir (DC) is directed to provide specific information to the appellant and also offer her opportunity of inspection.

8. Information as above and opportunity of inspection to be provided within four weeks of receipt of the order.

9. Appellant also submitted that in respect of point 4 she informed Deputy Director (MP), who is also the first appellate authority that there is another file on the subject matter, namely F. 15 (14) 96 – MP. However the first appellate authority had never responded to the appellant. It was also pointed out that the first appellate authority, in his order of 19 April 2010 did not give any time frame within which information was to be provided to the appellant.

10. This matter has already been adjudicated upon vide Commission’s order of 7 April 2011 and therein also it is reported that the CPIO had not taken any action on the directions given to him by the first appellate authority vide his order of 19 April 2010. At today's hearing also, the situation has not changed and the appellant has yet to be provided information.
11. Through this order, notices issued to the then CPIO, to appear before the Commission to show cause why penalty should not be imposed upon him for not having provided information to the appellant within the time frame specified in the RTI Act. Accordingly he is directed to appear before the Commission on **12.8.2011 at 11.15 AM.**

(Smt. Deepak Sandhu)
Information Commissioner (DS)

Authenticated true copy:

(T. K. Mohapatra)
Under Secretary & Dy. Registrar

Copy to:-

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   1356, D-1, Vasant Kunj
   **New Delhi-110070**

2. The CPIO
   Delhi Development Authority, Dy.Dir.(Planning)-1
   O/o Master Plan for Delhi-2021
   13th Floor, Vikas Minar,
   **New Delhi-110002**

3. The Appellate Authority
   Delhi Development Authority, Dir.(Planning)
   O/o Master Plan for Delhi-2021
   6th Floor, Vikas Minar,
   **New Delhi-110002**

4. The Sr. Research Officer (RTI)
   DDA, Vikas Sadan,
   **New Delhi**

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