

**CENTRAL INFORMATION COMMISSION
CLUB BUILDING (NEAR POST OFFICE)
OLD JNU CAMPUS, NEW DELHI- 110067
TELE. NO. - 011026179548**

Decision no. CIC/DS/A/2011/001684/VS/003|8
Appeal No. CIC/DS/A/2011/001684/VS
Dated: 26.06.2012

Appellant: Shri V.B. Singh
E-176, Saraswati Kunj Apartments,
25 I.P. Extension, Delhi- 110092

Respondent(s): PIO/ Dy. Director (LIG-H),
Delhi Development Authority,
D-Block, 2nd Floor,
Vikas Sadan, I.N.A.,
New Delhi - 110023

Date of Hearing: 26.06.2012

ORDER

Facts:

The appellant filed an RTI application on 12.04.2010 in which he asked a number of questions seeking information in respect of allotment of a DDA flat situated at Rohini. The PIO in his letter dated 13.08.2010 stated that the information pertains to a third party and could not be provided.

2. The applicant, on 12.08.2010, submitted to the PIO that he is a registered General Power of Attorney (GPA) holder of the flat and requested the PIO to furnish the information. The PIO replied on 17.08.2010 stating that documentation confirming the applicant to be a GPA holder of the flat has to be submitted.

3. Not satisfied with the reply, the appellant, vide his appeal dated 02.11.2010, approached the First Appellate Authority (FAA) to intervene in the matter and make available the information. The FAA did not adjudicate in the matter.

2/01/12
27/12

Ujjwal Sharma

(Signature)

C. I. C. के. सु. आ.
ISSUED
03 JUL 2012
D. No.....
Initials.....

4. Hence, the appellant has approached the Commission on 16.03.2011, to direct the PIO to furnish the information and for taking disciplinary action against the PIO for not providing the information. The appellant has submitted written submissions dated 19.06.2012 to the Commission stating that the PIO has not been responding properly to his queries and has been hesitant in providing him the information.

5. During the hearing, the respondent was present in person whereby he showed the letters written to the appellant stating that the information pertains to third party and hence could not be furnished. The appellant was not present during the hearing.

6. The respondent also explained the background of the case that a lady (Smt. Prakash Wati) had applied for allotment of the flat, which she was allotted. But, she could not fulfill the formalities prescribed, consequent to which, a show cause notice was issued to her to explain why the allotment should not be cancelled. Smt. Prakash Wati then approached the DDA and contended that she be made eligible for the Tail End Scheme (TNS). She also deposited the cancellation charges to be eligible for the scheme.

7. The respondent further explained that the appellant was given the GPA by the allottee, i.e., Smt. Prakash Wati and due to the fact that the appellant was only a GPA holder, he was a third party and hence could not be furnished with the information. The respondent further added that the matter had been given due consideration by the DDA at the senior most levels and that the benefit of allotment under the TNS could go only to the original allottee and not to the GPA holder. Besides, the person to whom the flat was allotted has not turned up before the DDA authorities till date.

Decision:

8. There is no reason to interfere with the decision of the respondent in the matter. No action is called for under the RTI Act.

Appeal is disposed off. Copy of this decision be given free of cost to the parties.

Vijai Sharma
(Vijai Sharma)
Information Commissioner

Authenticated True Copy

V.K. Sharma
(V.K. Sharma)
Designated Officer