

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

File No. CIC/KY/A/2016/001232

Appellant : Shri Rajinder Kumar Mahajan
Flat No. D-601, NPSC Coop. Group Hsg. Scy. Ltd,
Plot No. 5, Sec-2, Dwarka, New Delhi-110075

Public Authority : The PIO & Director (Bldg.) L&I
DDA, C-Block, 1st Floor, Vikas Sadan INA,
New Delhi-110023

The Executive Engineer (HQ) Dwarka,
DDA, Manglapuri, New Delhi-110045

Date of Hearing : 03.10.2016

Date of Decision : 03.10.2016

Presence:

Appellant : Shri Rajinder Kumar Mahajan and Shri B K Mahajan
PIO : Shri Manish Kr. Verma, Dy. Director (Bldg.) & PIO and
Shri Rajender Kumar, Executive Engineer (HQ) & PIO

FACTS:

- I. Vide RTI application dated **22.03.2016**, the Appellant sought information on **6 issues**.
- II. PIO, vide its response dated **30.03.2016**, **21.07.2016** & **23.09.2016**, reportedly not provided the information to the Appellant.
- III. The First Appeal (FA) was filed on **06.05.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **08.07.2016**, upheld the decision of PIO.
- V. Grounds for the Second Appeal filed on **19.07.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant as well as respondent appeared before the Commission personally and made the submissions at length.

DECISION

It would be seen here that the appellant, vide his RTI Application dated **22.03.2016**, sought information from the respondents on **six issues**. Respondents, vide their response dated **30.03.2016**, allegedly provided the required information to the appellant. Being

aggrieved by the aforesaid response, FA was filed by the appellant on **06.05.2016** before the FAA. Further, Shri Budh Ram, Dy. Dir. (GH)/FAA vide his letter dated 08.07.2016, transferred the appellant's FA to Director (Bldg.), DDA for taking necessary action. However, Director (Bldg.), DDA, could not take up the same for its disposal for the reasons best known to him.

2. The Commissioner heard the submissions made by appellant as well as respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated **22.03.2016**, respondent's response dated **30.03.2016**, FAA's order dated **08.07.2016**, other material made available on record and also the grounds of memorandum of second appeal.
3. By virtue of **position** above and in the **circumstances** of the case, the Commission is of the considered view that it is a fit case to be **remanded back** to learned FAA with a direction to dispose of the Appellant's FA filed on **06.05.2016**, **in accordance with the provisions of RTI Act 2005**, and after giving an opportunity to the appellant of being heard, **within 30 days** from the date of receipt of this order under intimation to the Commission. As such, the case is **remanded back**.
4. The appellant is further granted a **liberty** to move a second appeal, under **section 19(3) of the RTI Act 2005**, before this Commission, in case, he is not satisfied with the decision of the FAA on the FA.

With these observations, the appellant's second appeal is hereby disposed of.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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