

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

Decision no. CIC/DS/A/2011/002291/VS/00350
Appeal No. CIC/DS/A/2011/002291/VS
Dated: 27.06.2012

Appellant: Shri Parimal Tripathi
House No. 3588, 1st Floor,
Sector-23, Near Gate No-2,
Gurgaon- 122017

Respondent(s): PIO/ Dy. Director (CL)
Delhi Development Authority,
A-116, Vikas Sadan, I.N.A.,
New Delhi- 122017

Date of Hearing: 27.06.2012

ORDER

Facts:

The appellant filed an RTI application on 11.01.2011 seeking information on four points with regard to the imposition of 'Unearned Increase' (UEI) charges upon the transfer of commercial property from one entity to another. The PIO in his reply dated 08.02.2011 did not provide the information on any of the points while seeking exemption on various grounds.

2. The appellant submitted his appeal dated 02.11.2010 to the First Appellate Authority (FAA). The FAA in order dated 21.03.2011 provided the information relating to one of the points in the RTI application, while directing the PIO to provide information on the remaining points.

3. As the appellant did not receive any reply, he approached the Commission on 25.05.2011 in second appeal requesting the Commission to intervene in the matter.

4. During the hearing both the appellant and the respondent were present in person. The appellant stated that the respondent has provided some of the information in the form of a booklet to him just a few days before the hearing but still the complete information is yet to be provided. The appellant stressed that the information provided has come about after a prolonged delay of 15 months. Yet, the information is far from complete. The appellant was aggrieved by the fact that the respondent has taken the cover of section 7(9) of the RTI

Act. The appellant described the use of this section as a blanket cover, and in the present instance as a "smokescreen."

5. The appellant also requested the Commission to make available to him the rest of the information sought, including the list of cases in which a decision has been pronounced by the court(s) with regard to imposition of UEI charges. The respondent stated that providing the information would not be possible as the DDA was inundated with court cases, which made the collection of such information quite infeasible.

6. The main information sought by the appellant pertained to details of the commercial plots/properties situated in Vasant Kunj, Nelson Mandela Marg, New Delhi, in respect of which UEI charges had been deposited by the entities with the DDA consequent upon their transfer.

7. The respondent agreed to provide the information as per para 7 above.

Decision:

8. The information mentioned in para 7 must be provided to the appellant within 30 working days of the receipt of this order.

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)
Designated Officer