

**CENTRAL INFORMATION COMMISSION**  
**Club Building (Near Post Office)**  
**Old JNU Campus, New Delhi - 110067**  
**Tel: +91-11-26161796**

**Decision No. CIC/SG/A/2009/001664/4381**  
**Appeal No. CIC/SG/A/2009/001664**

**Relevant Facts emerging from the Appeal:**

Appellant : Mrs. Pushpa Rani  
H. No. 680, Chirag Delhi,  
New Delhi-110017.

Respondent : Mr. Maneesh Rastogi  
Suptdg. Engineer-I/SZ  
**Municipal Corporation of Delhi**  
O/o the Suptdg Engineer-I,  
South Zone, Green Park,  
New Delhi.

RTI application filed on : 03/09/2008  
PIO replied : 24/06/2009  
First appeal filed on : 05/02/2009  
First Appellate Authority order : Not Mentioned  
Second Appeal received on : 07/07/2009

**Information Sought:**

The Appellant in her Application has sought status of her complaints which she had written to the several authorities on different dates. She had complained about a building in her neighbor which was in dangerous state and also affecting her building.

**Reply of the PIO:**

The PIO replied to the Appellant vide letter dated 17/09/2008 that the letters which she wrote to the Dy. Commissioner on 03/03/2004, 25/10/2004, 23/11/2004 & 14/02/2007 had been forwarded to the EE (MS-I) vide no. 95/RTI/EE-MS-II dated 04/09/2008 and the information related to the letters written to the ACP, SHO & DCP could be obtained from the concerned department of Delhi Police. He further wrote that the house in question was examined in the presence of the Appellant and the concerned JE, AE & EE (MS-II) and it was found that there was no imminent danger to the Appellant's house. However another letter was received from the Appellant which was again sent to the EE (Bldg.)-I, South Zone on 09/09/2008 for further action as per DMC act.

The PIO again on letter dated 23/09/2008 stated the same.

**Ground of First Appeal:**

Non-receipt of information from the PIO within the stipulated time.

**First Appellate Authority ordered:**

Not ordered.

**Ground of the Second Appeal:**

Incomplete and unsatisfactory answer received from the PIO.

**Relevant Facts emerging during Hearing:**

The following were present

Appellant: Mrs. Pushpa Rani

Respondent: Mr. M.K.Singhla EE(Maintenance South-II) on behalf of PIO Mr. Maneesh Rastogi

The Appellant has a building on which the building next to it is actually leaning as per photographs brought by her. The photographs appear to show cracks in the upper part of her building and to any rational person this would appear a very dangerous and unsafe situation which could lead to loss of lives. The PIO has stated in the information provided that, "After examining the house no. 694 it is observed that there is no eminent danger to house no. 680" the PIO was asked if MCD had done any evaluation or calculation based on which this statement is made. The Appellant is also produced before the Commission file notings from the building department of the MCD in which it is stated, "in view of above works department be directed to taken action against this building before any mishappening occurred" this noting has been made on 19/09/2008. Nine months after this the respondent EE Mr. M.K.Singhla who states he is a civil engineer is stating before the Commission that there is no eminent danger to the Appellant's building. He also states he is willing to take this on affidavit.

**Decision:**

The Appeal is allowed.

The Commission directs Mr. M.K.Singhla deemed PIO to file an affidavit stating that there is no eminent danger to the Appellant's building after inspecting the site and send it to the Appellant and a copy to the Commission before 20 August 2009.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

**Shailesh Gandhi**  
**Information Commissioner**  
**07 August 2009**

*(In any correspondence on this decision, mention the complete decision number.)*

*(GJ)*