

**CENTRAL INFORMATION COMMISSION**  
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**Decision No. CIC/SG/A/2009/001759/4781**  
**Appeal No. CIC/SG/A/2009/001759**

**Relevant Facts emerging from the Appeal**

Appellant : Mr. Jageram Yadav  
Joint Colony Progressive Society,  
Mansa Ram Park, Shop No. 6, Shanti Mkt.,  
Near Charidiwari, Gulab Bagh,  
Main Najafgadh Raod, Uttam Nagar,  
New Delhi – 110059.

Respondent 1 : Public Information Officer  
Joint Secretary (UD)  
**Department of Urban Development**  
Govt. of NCT of Delhi  
10<sup>th</sup> Lvel ‘C’ Wing, Delhi Secretariat,  
I. P. Estate, New Delhi – 110002.

Respondent 2 : Mr. J. G. Arora  
Dy. Secretary (UC)  
**Delhi Secretariat**  
New Delhi.

RTI application filed on : 06/03/2009  
PIO replied : 17/04/2009  
First appeal filed on : 20/04/2009  
First Appellate Authority order : 18/05/2009  
Second Appeal received on : 21/07/2009

**Information Sought:**

The Appellant has asked following informations regarding Provisional Certificate No. F.1-33/UC/UD/2004/PT- III/dt.17.09.2008 in which only four blocks i.e.A,B,C & D have been mentioned in the certificate and two blocks viz. D-1, & D – 1 Extn.

<b>S. No.</b>	<b>Information Sought</b>	<b>Reply of the PIO</b>
1.	Reason for not amending/issuing new Provision Certificate by Sh. H. K. Bharti, Chief Town Planner and Mr. Anil Kumar Singh, Dealing Assistant of U.D. Department (UC Cell)	As per application submitted in 2007-08 against Regd. No. 993 and 789, separately there were two layout plans namely i/e/ for Mansa Ram Park, Block – C, D, & D – I and for Mansa Ram Park Block, A & B. In this regard, some

		<p>representations were received for issue/rectification of Provisional Regularization Certificates to the Department. Matter was under examination. Scrutiny by the MCD/DDA and Revenue Deptt was also being conducted. Provisional Regularization Certificate will be issued after the verification of the case.</p> <p>No Provisional Regularization Certificate could be issued before examining the truth of the representation. The rectification and issuance of new Provisional Regularization Certificate was under process for other colonies for which Provisional Regularization Certificate were not issued.</p>
2.	Reason for not taking any action against Sh. Anil Kumar Singh, Dealing Assistant for demanding bribe from the Appellant.	The case was under process for examining the authenticity and truth of representation/case.
3.	<p>Following information regarding 1539 unauthorized colonies –</p> <p>a) Number of colonies which have submitted its documents and maps and vice-versa.</p> <p>b) Number of colonies which have been issued correct/incorrect acknowledgement slips.</p> <p>c) Number of colonies whose documents had been rejected?</p> <p>d) Number of colonies to which correct eligibility/incorrect eligibility slips had been issued</p> <p>e) Number of colonies to which correct/incorrect provisional certificate had been issued</p> <p>f) Number of provisional certificates which had been amended/rectified/corrected as on date and vice versa.</p>	<p>a) Around 1639 application had been received for regularization of the Unauthorized Colonies.</p> <p>b) To f) No such list had been prepared.</p>
4.	Details of action taken against	There were a few cases where such

	dealing assistant and concerned officials who had issued wrong certificate.	inadvertently Provisional Regularization Certificate has been issued. After examining the documents the correct Provisional Regularization Certificate was to be issued case to case.
5.	Whether there is any nexus between Mr. Anil Kumar Singh, Dealing Asst. and Mr. H. K. Bharti.	Till then, no such corrected version and/or rectified Provisional Regularization Certificate had been issued to any Unauthorized Colonies for which the incorrect Provisional Regularization Certificate were issued.
6.	Request to amend the existing provisional certificate of the Appellant or issue a new one.	The observation raised by the Appellant was baseless.

**Ground of First Appeal:**

Incomplete and unsatisfactory reply received from the PIO.

**Order of the FAA:**

The FAA in its order stated that the Appellant had been provided incomplete, evasive and irrelevant information hence the Appellant filed and Appeal before the FAA for which the PIO/Dy. Secretary (UC) had been asked to file counter reply against the Appeal of the Appellant on several occasion but the PIO failed to do so. The FAA then directed the PIO to prepare and provide point-wise clear, complete and relevant information to the Appellant within 15 days from the date of its order. The FAA also suggested the PIO to see whether the information is clear, relevant and complete in all respects as intended by the Appellant before sending the information to the Appellant.

**Ground of the Second Appeal:**

Incomplete information received from the PIO after the order of the FAA.

**Relevant Facts emerging during Hearing:**

The following were present

**Appellant:** Mr. Jageram Yadav

**Respondent:** Mr. S.K.S.Yadav (PIO), Mr. H.K.Bharti (PIO/Town Planner, Urban Development Department), Mr. J.G.Arora (Dy. Secretary/Urban Development Department)

The Appellants had applied for certificate for regularization of an unauthorized colony at Mansa Ram Park A, B, C, D, D1 and D1 extension. The provisional certificate given to them by the Department did not mention D1 and D1 extension. The Appellants were given a provisional certificate with Blocks D1 and D1 Extension not mentioned. The Appellants have in writing alleged that Mr. Anil Kumar Singh (Dealing Assistant) had demanded a bribe from them. Since they did not give the bribe the correction was not done and for the last one year they have been subjected to harassment for not having provided the bribe. The Department has clearly absolved Mr. Anil Kumar Singh of

having demanded a bribe but so far has not given them the corrected certificate. The PIO states that the Department will give a certificate to the Appellant before 30 September 2009 certifying that D includes D1 and D1 Extension.

**Decision:**

The Appeal is allowed.

The PIO will give a certificate to the Appellant before 30 September 2009 certifying that D includes D1 and D1 Extension.

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**  
**14 September 2009**

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

*(GJ)*