

Central Information Commission

Shri Ajit Singh Malik vs Delhi Development Authority on 20 April, 2007

Order the Govt. of India and the Govt.'s change of land use from environment Notification given on agricultural and rural use permission date 19.9.06 EIA clearance zone to residential and etc. etc. date evaded in letter dt.

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|   | public and semi public facilities has been notified by the Govt. of India last year.   |  | 27.12.06 w.r.t alleged GNCTD circular dt. 14.9.06, whereas EIA was required by MoEF notification dt. 7.7.04 & DPCC public notice dt.13.3.05.   |
| 3 | GNCTD A/c Mandi... this land has been directly allotted by the Lt.Governor. ... only certain temporary structures are being put up ... which are permissible under the Master Plan in a Regional Park.   | ... Date etc. of Allotment & constn. permission  | Advice to approach GNCTD   |
| 4 | GNCTD Institute of Live Sciences the land for the hospital was allotted in public interest by DDA ... Delhi Govt. is constructing the hospital and the change of land use is under process.  | Date of public notice & Constn. Permission etc. etc.   | Advice to approach GNCTD   |
| 5 | WATER SUPPLY: DDA/ Private Individual Allottees take clearance from the DJB before starting any project.   | When compulsory permission was granted to above-mentioned. from Delhi Jal Board.   | Advice to approach DJB   |
| 6 | In the MPD 2001, integration of villages with the urban development have been suggested the Economically Weaker Section, the work place are generated by developing the residential areas where these people can have job related with the household assistance. | There is scheme of integration of villages... in village development scheme... in villages whose land has been acquired... that these residents should become domestic servants in these houses... but it has not been informed that whose | Not given despite FA order.<br><br>Letter dt. 23.11.06 said "it is policy issue and, therefore, does not pertain to any particular department, therefore, it is not a proposal but a policy statement. |

proposal it was?

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9. A copy of this rejoinder was also provided in the hearing to respondent Shri Pankaj Kumar. On perusing this he agreed that the specific information sought could be provided.

#### DECISION NOTICE

10. The information sought is related only to an affidavit presented by the public authority itself. It is quite clear that for preparing this affidavit although the information may have been sought from many quarters, the record should be accessible through one source. We, therefore, take an adverse view of the manner in which the simple information sought, the appellant has been given the run around for over a year without result. Representative of appellant Ms. Gita Dewan Verma has admitted that there was no lack of good intention in this matter, but the results seem to have been along the proverbial 'way', and the opposite of what was intended. Now, therefore, we direct Shri A.K. Gupta, Addl. Commissioner (Area Planning-II), whose department is primarily responsible for maintaining the records of the information sought, will obtain the information from all the necessary authorities and provide this to applicant Shri Ajit Singh Malik within 15 working days of the date of issue of this Decision Notice. The appeal is disposed of accordingly.

11. However, the issue of delay in providing the information now needs to be addressed. During the hearing no satisfactory explanation could be provided for this. Even though appellant has not questioned the sincerity of the PIOs in this matter, as held by us in the case of Er Sarbajit Roy v. D.D.A. Vide Appeal No. 10/1/2005-CIC dated 7.8.06, it is the primary responsibility of the CPIO to whom the application is submitted to obtain and provide the information to an applicant. That order concerned the very public authority that is respondent in this case and, therefore, there is little excuse for the failure to adhere to this direction in the present application. Shri O.P. Mishra, OSD (Lands) to whom the initial application was forwarded by the RTI Counter in DDA and Shri Rakesh Bhatnagar to whom the application was addressed by applicant will, therefore, appear before the undersigned on 25.5.2007 at 10.00 a.m. or submit the reasons for this lapse in writing by 5.5.2007.

12. Announced in the hearing. Notice of this decision be given free of cost to the parties.