

Central Information Commission

Mr. Amar Singh Brara vs Municipal Corporation Of Delhi on 29 April, 2009

CENTRAL INFORMATION COMMISSION

Club Building, Old JNU Campus,
Opposite Ber Sarai,
New Delhi - 110066
Tel: +91 11 26161796

Decision No. CIC/SG/A/2009/000408/2991

Appeal No. CIC/SG/A/2009/000408

Relevant facts emerging from the Appeal:

Appellant	:	Mr. Amar Singh Brara, 25,Naveen Apartment, Sainik Vihar, Pitam Pura, New Delhi-110034.
Respondent	:	Superintendent Engineer & PIO,

Municipal Corporation of Delhi, Office of the SE/PIO, (RH-I).

Rohini Zone, Sector-V, Rohini, New Delhi-110085.

RTI application filed on	:	20/11/2007
PIO replied	:	07/01/2008
First Appeal filed on	:	24/12/2007
First Appellate Authority order	:	06/01/2009
Second Appeal filed on	:	02/03/2009

The appellant had asked in RTI application regarding to the Completion Certificate provided under the above provision.

1. Does the Completion Certificate provide under the above provision hold good for MCD to approve the plans for construction of an additional flat in the Co-op. Group Housing.
2. Does the Completion Certificate provided under the above provision holds good for MCD to approve the plans for construction of an additional room under the increased FAR scheme for all the flat holders as per the Building Bye Laws in the Co-op. Group Housing Society.
3. In the case of above (1) and (2), if the Completion Certificate issued the above provision does not hold good, then what is the use of such 'Permission shall be deemed to have been granted' for the applicant.
4. Why the applicant should be penalized for the inactiveness of MCD for not processing the application for Completion Certificate if such Certificate is of no use to the applicant.

The PIO replied.

No information is available in the Material form. However, applicant can contact the S.E. (Bldg.) H.Q. for any clarification on any working day between 2.00 PM to 5.00 PM.

Above if approved may be sent to E-in-C for further necessary action please. First Appellate Authority Ordered:

"The appellant was present on 06.01.2009. The department was represented by Sh. S.K. Chauhan, AE (Bldg.) in the said appeal. The department is directed to provide the reply given by the Building (HQ) to the appellant within a week."

Relevant facts emerging during hearing: The following were present.

Appellant: Mr. Amar Singh Brara Respondent: Mr. A.K. Mittal PIO The appellant is asking for clarifications and not information as defined by Section 2 (f) of the Act.

Decision:

The Appeal is disposed.

This decision is announced in open chamber. Notice of this decision be given free of cost to the parties.

Shailesh Gandhi Information Commissioner 29 April 2009 (In any case correspondence on this decision, mention the complete decision number.)