

F No. CIC/WB/C/2006/00031

Complainant: Dr. D V Tolaney

Respondent: The Vice Chairman, DDA
The Commissioner, MCD

An enquiry was conducted by the undersigned on 21.06.2006 in the O/o the Engineer in Chief, Town Hall Delhi at 2:00 PM. Sri Ravi Dass, Engineer in Chief, Sri R K Gupta, SE, Sri Rajpal Singh, Assistant Commissioner, HQ were present at the time of investigation.

Observations

1. The list of files received from DDA (Building) were investigated and was observed that after denotifying the Rajender Nagar, files relating to Plot Nos 1,3,4,5,6,8,10-A, 10-B, 11,16,17,18,19 and 22 were transferred to MCD which were available in the records. However the file related to Plot No 21 were not figuring out in the list send by DDA. However vide reference no F.PA/JD (B)/C&I/MISC/02/VOL1/621 dated 24/11/2005 address to Dr D.V Tolaney it has been claimed by Director (Building), DDA that property No 21(GF) has been denotified and transferred to MCD. Hence the required information can be obtained from MCD.
2. The investigating officer is convinced that the files under contention is not available in the records of MCD, the onus therefore to prove that the files related to Plot No 21(GF) has been transferred to MCD lies on the Director (Building), DDA. Director (Building) within one week will produce all documents before the commission to establish their claim.
3. The complainant had filed the application under Central Right to Information Act, 2005 whereas the Engineer In Chief, MCD replied under Delhi Right to Information Act, 2001. This reflects only his ignorance and lackadaisical attitude towards the implementation and understanding of RTI Act. Engineer in Chief must submit an explanation in this regard.

(Pankaj K.P. Shreyaskar)
Under Secretary &
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