

ORDER

This order shall dispose of the appeal dt. 29.06.15 of Sh. Suresh K. Beri against the response of the PIO/AR (Sec.-5) on his RTI application dt. 20.04.15. The appellant in person and Sh. B.K. Puri, PIO/AR (Sec.5) were present on dates of hearing.

The appellant in his above RTI application sought information in respect of his appeal dt. 03.07.2013 before ARCS (East) u/s 139 (2) DCS Act 2003 r/w Rule 165 (8) of DCS Rules, 2007 against letter/reply dt. 28.06.2013 of the NDSE CGHS Ltd., Vasundhara Enclave Delhi- 110096 on his RTI application dt. 31.05.13. The appellant sought information inter alia, whether any date has been fixed, any notice (s)/ summon (s) has been issued to the appellant and respondent society for appearance before the court of Assistant Registrar.

The PIO/ AR (Sec.-5) vide his letter dt. 25.05.2015 replied that. *With reference to above said RTI applications it is informed that the said appeals under section 139 were filed about four to two years back and these appeals must have been submitted in the erstwhile District East. Moreover in June 2014, these erstwhile zone were disbanded and in their place new sections were created. Nevertheless, a thorough search of this section was made but the said records could not be traced.*

It is, therefore, requested to kindly provide the copies of said applications under section 139 to this section in order to enable this office to process the matter expeditiously.

Not providing the information because of the reason records are not traceable in the concerned section is deplorable. Further requiring said RTI application/appeals from the appellant at this stage after lapse of more than 3 years is unwarranted as it may cause legal repercussions of limitation etc. from the respondent society. Probably for this reason the appellant did not provide documents as requested by the PIO/AR (Sec.5) in his reply dt. 25.5.15 and rather the appellant preferred appeals against the said reply. The PIO/AR (Sec.5) is, therefore, directed to make concerted efforts to locate the requisite documents at both places i.e old zone and new section and provide the information asked for by the appellant within a period of 15 days from the date of receipt of this order free of cost.

The appeal is disposed of accordingly with the above observations.

ni

2109/CC
16/09/15

As per section 19 of the Right to Information Act, 2005, the appellant may file an appeal, if any, within 90 days of the issue of this order before Second Appellate Authority i.e. Central Information Commission, B- Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110066.


11.9.15
(Vijay Bhardwaj)

First Appellate Authority/DRCS-III

To

1. Sh. Suresh K. Beri, Flat No. 44, NDSC Coop. G/H Society Ltd., Plot No. 24, Vashundhra Enclave, Delhi- 110092.
2. PIO/ AR (Sec.-5) O/o the RCS, GNCTD.
3. A.D. Computer O/o the RCS, GNCTD.
4. AR (RTI) O/o the RCS, GNCTD.