DELHI DEVELOPMENT AUTHORITY
OFFICE OF CHIEF ENGINEER (HQ)

No. EM 5(2)89/RTI/AA(HQ)/2/93. Dated. 11.2.14

Appellant	Shri Jagbir Singh Advocate R/O 84, Village Khizra bad Opposite Ashoka park Near Lion Hospital, New Delhi-110025.
Respodent	Director (Hort.), DDA (PIO)
Date of Hearing	06.02.2014.

ORDER

FACTS:

1. The applicant filed an RTI application with CE (EZ)/DDA on 20.08.2013 seeking information in connection with the Ashoka Park that gambling, drinking of wine & bear, damaging / destruction of trees and plants, broken rain shadows, benches and walking tracks eve-teasing / misbehaving with ladies by the bikers being done by the anti-social elements. The RTI application forwarded to concerned PIO i.e. Director (Hort.) by SE (HQ) / EZ.

2. The Director (Hort.) South East / DDA (PIO) has replied to the applicant on 29.11.2013 and provided the Para wise information.

3. The appellant filed an appeal on 11.12.2013 before the CE (EZ) requisiting a copy of the letter forwarded by DD (Hort.) to DCP (South East), ACP (South East), SHO New Friends Colony for taking necessary action in the subject matter.

4. The said appeal has been forwarded by SE (HQ) / EZ on 17.12.2013 to first appellant authority (FAA) i.e. CE (HQ).

5. I being the FAA heard both the appellant and the respondent i.e. DD (Hort.) who has attended the hearing on behalf of Director/Hort.(PIO).

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6. Decision:

The matter has been deliberated in detail and reconciled. As directed the copy of the letter sent to the police department was handed over to the appellant by the respondent during the hearing. The appellant was satisfied with arguments.

The appeal is disposed off. The copy of the orders be supplied to the parties.

(Er.Ashok NIGAH)
Chief Engineer (HQ)
First appellate authority.

10/2/14

DELHI DEVELOPMENT AUTHORITY
OFFICE OF CHIEF ENGINEER (HQ)

No. EM 5(2)89/RTI/AA(HQ)/1/.02 Dated. 11.2.14

Appellant	Shri Jagbir Singh Advocate R/O 84, Village Khizra bad Opposite Ashoka park Near Lion Hospital, New Delhi-110025.
Respodent	Director (Hort.), DDA (PIO)
Date of Hearing	06.02.2014.

ORDER

FACTS:

1. The appellant filed an RTI application with the PIO/DD (Hort.), DDA on 14.09.2013 seeking certain information's regarding the permission granted by DDA to DJB for replacement of 1500mm dia. pipe through Ashoka Park, New Friends Colony.

2. The DD (Hort.) has returned the RTI application stating that he is not the PIO.

3. The appellant filed the RTI with the CE (EZ) on 09.10.2013 and requested to transfer the RTI application to concerned PIO. SE (HQ)/EZ has forwarded the RTI application to PIO i.e. Director (Hort.) on Dated 17.10.2013.

4. PIO replied to the appellant on 20.11.2013 stating an amount of Rs.1,61,309/- has been deposited by DJB on account of restoration charges of damaged greenery and permission in this regard has been granted to DJB.

5. The appellant has filed an appeal on 07.12.2013 before CE (EZ)/DDA, stating the work was already in progress before obtaining the necessary permission, as the same was granted/issued later on and DD (Hort.) has returned the RTI application instead of transferring the same to the concerned PIO as per provision contained in clause 3.5 of RTI act 2005.

6. The appeal has been forwarded by CE(EZ)/DDA to FAA, the CE(HQ)/DDA on 17.12.2013.

Continued on the second page.....

7. I being the FAA, heard both the appellant and respondent DD (Hort.)/DDA who has attended the hearing on behalf of PIO i.e. Director'(Hort.)/DDA.

8. Decision:

The matter has been discussed in detail and reconciled. The appellant was satisfied with the arguments. However, DD(Hort.)/DDA has been directed to be more care full while dealing with RTI matters and also following office procedures meticulously.

The appeal is disposed off. Copy of the orders be supplied to the parties.

(Er.Ashok NIGAH)
Chief Engineer (HQ)
First appellate authority.

10/2/14

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE CHIEF ENGINEER (HQ)/FAA

File No. EM 5(2)89/RTI/AA/HQ/ 4 107 dated: 28-2-2014

Appellant: Shri Rattan Kumar Bhardwaj,
G-9, Arya Nagar Apartments,
91, I.P. Ext., New Delhi-92.

Respondent: Director-(Hort.)/SouthEast, (PIO)

Date of hearing: 25.02.2014.

Facts:

1. The appellant filed a RTI application with PIO / Director (Hort.)/South East, DDA vide no. PIO/PWD/RKB/002 dated 28.10.2013, received in the office of PIO vide diary No. 5502 dated 31.10.2013, seeking certain information regarding the permission granted for erecting the Juggies in park to facilitating the contractor's labour and arrangement of compost pit for disposal of dead leaves and dry broken branches.

2. PIO/Director (Hort.)-South East replied to the appellant vide his letter no. DHSE-12 (172) 2013 / RTI / Hort. /DDA /3705 dated 31.12.2013 and referred the Deputy Director (Hort.)-VII's letter dated 20.12.2013, Stating that the labor huts have been removed from the present location and no huts are existing in the park.

3. The appellant has filed an appeal before the CE (HQ)/ FAA, vide no. RTI/appeal /DDA/RKB/005 dated 17.01.2014, which was received on 18.02.2014, stating that the PIO has not provided the information regarding the permission granted for C/O jhuggies and facility provided to the labourers and information against the question No. 6 to 8 of the RTI application.

4. The PIO / Director (Hort.)-South East, replied the Para No. 6 to 8 to the appellant vide his letter No. DHSE-12(172)2013 / RTI / Hort. /DDA /588 dated 21.02.2014.

The hearing was heard on 25.02.2014 in the presence of following:

Appellant: Not present.

Respondent:

1. Sh. Bajai Yadav, Dy. Director(Hort.)-VII represented Director (Hort.)-South East/PIO who was on leave.

Contd.. on P2

The hearing fixed for 25.02.2014 was well intimated to the appellant vide no. EM 5(2)89/RTI/AA/HQ/3104 dated 21.02.2014 received by Ms. Anshu on 21.02.2014 and appellant was absent in the said meeting. The Deputy Director (Hort.) – VII, DDA who has attended the hearing on behalf of PIO i.e. Director (Hort.)-South East, stated that all the requisite information have been provided to the appellant.

Decision:

The record shown by the Deputy Director (Hort.)-VII, revealed that the reply furnished to the appellant was not within the stipulated time as per RTI act-2005. Although, the Dy. Director(Hort.)-VII has admitted the lapse, warned to be more careful in future while dealing with the RTI matters and also to follow office procedures meticulously as per the RTI act-2005.

The appeal has been disposed off. Copy of the order is supplied to the parties.

Encls: - Copy Dir (Hort), DDA reply dated 21.2.14

(Er. Ashok Nigah)
Chief Engineer (HQ)
First Appellate Authority

27/2/14

Authenticated true copy

27/2/14

G. S. SHIV KUMAR
जी. एस. शिव कुमार
EXECUTIVE ENGINEER (C)
अधिशासी अभियन्ता (सि)
Delhi Development Authority
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DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE CHIEF ENGINEER (HQ)/FAA

File No. EM 5(2)89/RTI/AA/HQ/3/ 09 Dated 6.3.2014.

Appellant: - Shri A. Kumar (D/Man Grd.-1, DDA)
A-81, Pandav Nagar,
Near Shadi Pur Depot,
New-Delhi-110008.

Respondent: - Director (Hort.) / South East
(PIO)

Date of hearing: - 03.03.2014.

Facts:

1. The appellant filed a RTI application with PIO/Director (Hort.) South East Zone, DDA on 02.012.2013. He sought certain information's / photo copy of the A/R & M/O estimates, for which the technical sanction have been accorded by Director (Hort.)/ South East, for the year 2013-2014, specifically for Qutab Nursery, green area at Lado Sarai, MP green west of Mehrauli (Kishan garh), Sanjay van L&DO land at R.K. Puram Sector–12 and Mehrauli Complex Ph-1, detail of departmental abour and labour engaged on contact as per yard-stick, no of tube wells installed, quantity of Good earth required and sanctioned for above parks also sought by him.

2. PIO / Director (Hort.)/ South East replied to the appellant vide his office letter no. DHSE-12(215) / 2013 / RTI / Hort. / DDA / 151 dated 10.01.2014, and asked to deposit the amount of Rs.326/- on account of charges of photo copies of requisite documents.

3. The appellant has deposited an amount of Rs. 148/- vide receipt no. 0849805 dtd. 2101.2014.

4. PIO / Director (Hort.) South East asked the appellant to furnish the proof for his ID and residential address vide his letter dated 27.01.2014.

5. The appellant has filed an appeal before the Chief Engineer (HQ) / FAA vide his letter dated 12.02.2014 which was received on 18.02.2014 stating that no reply has been provided to him within the stipulated

Period of 30 days as per RTI act-2005 whereas the amount of Rs.148/- has already been deposited.

The hearing was heard on 03.03.2014 in the presence of following:

Appellant:	Shri A. Kumar (D/Man Grd.-1, DDA)
Respondent:	Shri R. Sahay, Director (Hort.) South East / PIO.

Decision

The matter has been deliberated in detail and reconciled. Director (Hort.) / PIO was directed to supply the requisite information / photo copies to the appellant within seven days from the date of issue of decision under intimation to U/S. The PIO has also been suggested to be more careful while dealing the RTI matters and also to follow office procedures meticulously as per RTI act-2005.

The appeal has been disposed off. Copy of the orders is supplied to the parties.

(Er. Ashok Nigah)
Chief Engineer (HQ)
First Appellate Authority

(16)

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE CHIEF ENGINNER (HQ)/FAA

NO. EM5(2)89/RTI/AA/HQ/5/ 14 Dated. 24.3.14.

Appellant : Sh. Hridaya Narain,
R/O 348, Sanskriti Apptt.,
19-B,Dwarka, Delhi-110075.

Respondent : Director(Hort.)North-West/DDA/PIO

Date of Hearing : 10.03.2014/14.03.2014

Facts:

1. On perusal of the record it is evident that, the appellant filed an RTI application with the PIO/Director (Hort.) North-West, DDA on 26.7.2013 seeking certain information's regarding the total expenditure incurred for maintenance of Sanskriti Apptt., sect.-19-B, Dwarka.

2. PIO/Director(Hort.)North–West, sent the reply to the appellant vide his letter No.1(88)13/RTI/DHNW/1480 dated 29.10.2013, stating that the expenditure of Rs.964.75 lacs incurred on greenery of the said Apptt. for the year 2012-13.

3. The appellant filed an another RTI on 30.12.2013 seeking the information's regarding details of works done in Sanskriti Apptt. during 2012-2013. The PIO has not provided the information's to the appellant. The appellant has filed an appeal before the CE(HQ)/FAA on 24.02.2014 which was received in this office on 24.02.2014 stating that, he may be provided the requisite information without further delay.

4. Accordingly, the hearing was fixed for 10.03.2014 and intimated the appellant and respondent vide this office letter dated 04.03.2014.

5. In the mean time, PIO/ Director (Hort.) North-west, vide his letter dated 07.03.2014 replied to the RTI application dated 30.12.2013 of the appellant, and copy of the same has been endorsed to this office also. As informed by Dy.Dir(Hort.)Dwarka, the total expenditure incurred was Rs.6,58,309/- ie(Rs.2, 80, 904/- and Rs.3, 77, 405/-for the block year 2011-12 and 2012-13 respectively) instead of Rs.964.75lacs as conveyed earlier.

(15)

6. Appellant vide his letter dated 10.03.2014, which was received in this offic on 10.03.2014 stated that, due to his personal reasons he is unable to attend the hearing and the requisite information's may be provided by post.

7. Vide this office letter dated 11.3.2014,PIO/Director(Hort.)North –West, and concerned Dy. Director(Hort.), Dwarka, asked to appear before the CE(HQ)/FAA along with all relevant records on 14.03.2014. The meeting has been attended by the PIO/ Dir. (Hort.) North-west.

Decision:

The matter has been deliberated in detail and reconciled. It has been decided that the Dir(Hort.)/PIO will furnish the requisite information's to appellant without further delay under intimation to this office. Director(Hort.)/PIO was also directed to take the appropriate action against the person responsible for this delay.

The appeal is disposed off. The copy of the orders be supplied to the parties

(Er. Ashok Nigah)
Chief Engineer(HQ)
First Appellant Authority
21.3.14

Authenticated true copy

24/3/14

G. S. SHIV KUMAR
जी. एस. शिव कुमार
EXECUTIVE ENGINEER (C)
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(27)

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE CHIEF ENGINNER (HQ)/FAA

NO. EM5(2)89/RTI/AA/HQ/6/ 13 Dated. 24.3.14.

Appellant **Sh. Manoj Sharma,**
D- 705,Sarswati vihar, New Delhi-110034.

Respondent : **Director(Hort.)North–West/DDA/PIO**

Date of Hearing : **21.03.2014**

Facts:

1. On perusal of the record provided by the appellant, it is evident that, the appellant filed an RTI application with the PIO/Dir (Hort.) North-west, DDA on 26.12.2013,seeking certain information's regarding the pruning of dangerously hanging Safeda/Eucalyptus trees in green belt facing block-D, Sarswati vihar, dangerous to life and property of the residents.

2. The appellant vide his letter dated 20.01.2014 again sent the copy of the RTI application dated 26.12.2013 on the request of PIO/ Dir (Hort.)North west made vide his letter No F1(Misc.)2014/RTI/DHNW/77 dated 13.1.2014.

3. The PIO has not provided the requisite information's to the appellant. Subsequently the appellant filed an appeal before the CE(HQ)/FAA on 06.03.2014 which was received in this office on 11.03.2014 stating that the requisite information's have not been provided by the PIO, whereas the one month period as stipulated in RTI Act-2005 has already been elapsed and requested to arrange to provided the same immediately.

4. Accordingly, the meeting was fixed for 21.03.2014 and intimated the appellant and respondent vide this office letter dated 12.03.2014.The hearing was heard in the presence of following'

   Appellant Not present.

   Respondent Sh. Brij Lal , Director (Hort.)north –west/PIO.

5. PIO/ Director(Hort.)North–West, has narrated that the correspondences have already been made with the competent authority of the Forest Department/GNCTD for obtaining the necessary permission.

(20)

Decision

The matter has been deliberated in detail and reconciled. The PIO/ Dir(Hort.)North-West has been directed to provide the Para wise reply to RTI application dated 26.12.2013 of the appellant without further delay ie by 28.03.2014 positively under intimation to this office. PIO/Director(Hort.) North-west, was also directed to take the appropriate action against the person responsible for this delay.

The appeal has been disposed off. The copy of the orders be Supplied to the parties.

(Er.Ashok Nigah)
Chief Engineer(HQ)
First Appellant Authority

24.3.14

Authenticated true copy

20/3/14

G. S. SHIV KUMAR
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DELHI DEVELOPMENT AUTHORITY

OFFICE OF THE CHIEF ENGINEER (HQ)/

FIRST APPELLATE AUTHORITY

NO.EM5(2)89/RTI/AA/HQ/07/18 Dated- 29.4.14

Appeal No. 07/CE(HQ)/FAA

Appellant : **Sh. Atul Kapoor**
President, Vijay Mandal Park Morning
Walker Association, A-92, Sivalik,
New Delhi-110017.

Respondent: **Director (Hort.) South East/DDA(PIO)**

Date of Hearing : **25.04.2014**

FACTS :-

1. On perusal of the records made available by the Dir.(Hort.)South East/PIO, it is evident that, the appellant has submitted a representation addressed to Vice-chairman, DDA, as well as through DDA website on dated 28.10.2013, regarding various pending works yet to be attended by the concerned department of DDA, in Vijay Mandal Park, near sivalik as listed below.
   (i). Deployment of Security Guard for watch and ward.
   (ii). Demarcation of park- As area of the park is not identified/ demarcated hence, being encroached and resulting into the substantial reduction in park area.
   (iii). Allocation of Sports area in the park- for providing the outdoor sports facilities like Badminton, Volley ball and Cricket etc.

2. Director (Hort.)/South East vide his letter dated 5.12.2013 furnished the Para wise reply to the appellant as mentioned below:
   (i) At present 10 No's of private Security guards have been deployed and proposal for additional 12 no's has been submitted for the approval of competent authority and tender process shall be initiated accordingly.
   (ii) Pertains to the Land Management Department and Correspondences have already been made with the concerned for necessary action.
   (iii) The work of allocation and development of the sports area pertains to concerned civil division of south zone.

3. Subsequently in reference to the Dir(Hort.)south East's reply dated 5.12.2013 the appellant filed an RTI application with Dir.(Hort.)South East on 13.01.2014, seeking certain information's as listed below.
   (i) Copy of the agreement for previous and running contract of the agency engaged for providing the private security guards.
   (ii) Amount paid to the agency.

(iii) Copy of the proposal for engaging the additional 12Nos security guards submitted in Feb.2013 for the approval of competent authority.

4. The Appellant filed an appeal before the CE(HQ)/FAA on 01.04.2104 which was received in this office on 07.04.2014 stating that the requisite information's have not been provided by the PIO till date.

5. Accordingly, the meeting was fixed for 25.04.2014 for which the appellant and respondent have been intimated vide this office letter dated 11.04.2014. The hearing was heard in the presence of followings.

Appellant:-

(i) Sh. Atul Kumar, President Vijay Mandal Park Morning Walker Association
(ii) Sh. Kulbir Singh, Secretary -do-

Respondent:-

(i) Sh. R. Sahai, Dir(Hort.)/ South East (PIO)
(ii) Sh. S.S. Dahiya, Dy.Dir.(Hort)-VI
(iii) Sh. S.K. Meena, Assistant Director/Hort.Div.VI

6. PIO/Dir(Hort.)South East has made the submission in length and stated that the reply to RTI application dated 13.01.2014 has already been furnished to the appellant along with requisite documents vide his office letter No.DHSE-12(19)14/RTI/Hort./DDA/358 dated 03.02.20014 and a copy of the reply also produced in meeting . The same has been agreed by the appellant and satisfied with the reply to para no 1 &2. Regarding the para No- 3, the Appellant desired the status of the matter in connection with the deployment of 12Nos security guards for which the proposal has already been sent the competent authority for his approval. In this context the PIO/Dir(Hort.)South East stated that the approval for engaging 10Nos security guards has been obtained from the competent authority and the tenders for the same shall be processed within fifteen days for which the Appellant has shown his satisfaction.

DECISION

The matter has been deliberated in detail and reconciled. The Dir.(Hort.)south East(PIO) has been directed to initiate the tender process immediately and appellant may be intimated the award of work for security after doing needful.

The appeal is, accordingly, disposed off with the above directions. The copy of the orders is supplied to the parties.

Authenticated true copy.

25/4/14

S. S. SHIV KUMAR
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EXECUTIVE ENGINEER (C)
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(Er. Ashok Nigah)
Chief Engineer (HQ),
First Appellant Authority