Relevant Facts emerging from the Appeal:

Appellant: Mr. Krishan Yadav  
S/o. Sh. Haridass  
RJ 1225, Rajokri  
New Delhi 110038

Respondent: Mr. Rajpal Singh  
PIO & SDM (Vasant Vihar)  
O/o Sub Divisional Magistrate  
Govt. of NCT of Delhi  
(Vasant Vihar), Old Terminal Tax Building,  
Kapashera, New Delhi-110037

RTI application filed on: 01/07/2010  
PIO replied: 06/08/2010  
First appeal filed on: 23/08/2010  
First Appellate Authority order: 31/08/2010  
Second Appeal received on: 29/09/2010

Information Sought
The Appellant sought information regarding –
2. Provide list of Khasra of gram Sabha.

Reply of the Public Information Officer (PIO)
Reply to the queries is as follows:
1. Information not traceable in the office  
2. The applicant is required to collect the list from the office after depositing the Govt. Fee as per procedure.

Grounds for the First Appeal:
Non-supply of information by the PIO.

Order of the First Appellate Authority (FAA):
The FAA directed the PIO w.r.t. the
- Query No. 1- to call the concerned persons to whom the paper was forwarded and to trace the same within 15 days;  
- Query No. 2- directed the Appellant to deposit the required fee in order to collect information.

Grounds for the Second Appeal:
Non supply of Information by the PIO w.r.t. Query No 1 & 2, even though the said amount was deposited to seek information with regard to Query No. 2.
Relevant Facts emerging during Hearing:
The following were present
Appellant: Mr. Krishan Yadav;
Respondent: Mr. B. L. Meena, NT on behalf of Mr. Rajpal Singh, PIO & SDM (Vasant Vihar);

The Appellant is alleging that Gram Sabha Land at Khasra No. 1121/1 has been occupied by a private person. The Appellant has made a complaint in 2006 and sought information about the action on this complaint. The Respondent has stated that information has been provided to the Appellant about the action taken on this complaint which appears to show that Dy. Commissioner (SW) on 18/11/2010 had ordered that a boundary wall should be constructed on the Gram Sabha Land within four weeks. The Respondent has also informed the Appellant that when an inspection was done on the said land on 08/07/2009 no body is found to be in possession of the said land. The Appellant claims that the illegal occupier of the said land has already constructed a boundary wall and a gate on the said gram sabha land. The Commission directs that a joint inspection of the said property be done by the Respondent and the Appellant alongwith the BDO South West on 20 December 2010 at 11.00AM. A joint inspection report will be made and copies will be kept by both sides after duly signing them.

Decision:
The Appeal is allowed.

A joint inspection of the Gram Sabha Land will be done as directed above and both sides will keep a copy of the report.

This decision is announced in open chamber.
Notice of this decision be given free of cost to the parties.
Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
03 December 2010

(In any correspondence on this decision, mention the complete decision number)(JA)