Appellant sought information on 8 points:

<table>
<thead>
<tr>
<th>Sl.</th>
<th>Information Sought</th>
<th>PIO’s Reply</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>According to the order of Hon’ble Delhi High Court, a sum of Rs. 48.85 lakh was allotted for the development of ponds and wells in village Bankner, Provide the details when pond 37/29 will be developed and how much time will needed for the same.</td>
<td>Process of demarcation is going on and after the completion of this, development work will be initiated.</td>
</tr>
<tr>
<td>2.</td>
<td>Provide name and designation of the person responsible for not removing encroachment from the site of aforementioned pond and well. Reasons for the same too, if any.</td>
<td>Same as above.</td>
</tr>
<tr>
<td>3.</td>
<td>Provide report if any, of the action taken from May 2003 to November 2009, on the letters written by BRWA for the development of ponds and well of Bankner.</td>
<td>Up till now 3 ponds and 2 parks have been developed in the village, and 1 pond will be developed after the demarcation process will be done.</td>
</tr>
</tbody>
</table>

**Grounds for First Appeal:**
PIO’s reply not received.

**Order of the First Appellate Authority:**
Not Enclosed.
Grounds for Second Appeal:
Not satisfied with the reply received from the PIO.

Relevant Facts emerging during Hearing:
The following were present:
Appellant: Mr. Ramchandra Dixit
Respondent: Mr. Om Prakash, BDO on behalf of Mr. Ashish Mohan, SDM & PIO;
The First Appellate Authority Mr. D. P. Dwivedi, Dy. Commissioner (North-West) appears to be guilty of dereliction of duty since it appears that he had not passed any order in the matter.

The Appellant has been seeking information about the creation of a pond which has been ordered by the High Court and for which funds have been allocated. The demarcation has been done twice earlier in 2005 and 2007 which the Respondent claims was improper. The Respondent states that a demarcation again been done on 17/12/2009 and since there is encroachment and a court case the development of the pond can be taken up only after court case is settled and subsequently encroachment is removed. The Appellant is understandably agitated since the High Court order is being rendered ineffective by this sequential putting of impediments. The Appellant wonders whether this pond will ever get created. The Commission orders the PIO to provide all the information about the developments on the matter until now and photocopies all the letters sent to all the authorities.

Decision:
The appeal is allowed.
The PIO is directed to provide all the information as directed above to the Appellant before 15 April 2010.

The First Appellate Authority Mr. D. P. Dwivedi, Dy. Commissioner (North-West) is directed to send his explanation to the Commission before 20 April 2010, why the Commission should not recommend disciplinary action against him for dereliction of duty.

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
31 March 2010

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

CC:
To,

The First Appellate Authority, Mr. D. P. Dwivedi, Dy. Commissioner (North-West) through Mr. Om Prakash, BDO;