

# CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

**Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)**

Information Commissioner

**CIC/SA/A/2015/001375**

**Pramod Kumar Gupta v. Land & Building Department**

Important Dates and time taken:

<b>RTI:</b> 07.05.2015	<b>FAA :</b> 03.06.2015	<b>FAO :</b> 25.08.2015
<b>SA:</b> 15.10.2015	<b>Hearing:</b> 31.12.2015	<b>Decision:</b> 29-01-2016
<b>Result: Disposed of.</b>		

## **Parties Present:**

1. Appellant is present. None represents Public authority.

## **FACTS:**

2. Appellant by his RTI application had sought for information regarding new norms issued for alternative allotment of plot in lieu of land acquired by PDD, whether L & B department of Delhi was informed about it etc. Having received no reply, appellant filed first appeal. FAA rejected the appeal by stating that appeal is delayed beyond prescribed period of 30 days. The same has been filed after delay of more than three years. There is no provision under RTI for condoning the delay in filing the appeal. Being unsatisfied, appellant approached the Commission.

## **Decision :**

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3. Having heard the submission and perusal of records, the commission observed that First appellate authority should have considered the reasons for delay proposed by appellant as proviso to section 19 (1) of the RTI Act provides:

“Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.”

4. The Commission directs the PIO to provide the information sought by appellant within 15 days from the date of receipt of this order. The Commission also directs the First appellate authority not to reject the first appeal filed beyond the prescribed period without hearing the appellant and consider the reason of delay. Appeal is disposed of accordingly.

(M. Sridhar Acharyulu)  
Information Commissioner

Authenticated true copy

(U. C. Joshi)  
Deputy Secretary

Addresses of the parties:

1. The CPIO under RTI,  
Land & Building Department,  
B-Block, Vikas Bhawan, IP Estate,  
New Delhi-110002.

2. Shri Pramod Kumar Gupta,

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184, Taliya, Jhansi-284002.

