

**KIC 1816 PTN 2009**

**KARNATAKA INFORMATION COMMISSION**

(Sri C. Kashinath vs. PIO & Under Secretary, Urban Development Department, Bangalore)

**ORDER**

**26-6-2009**

1. Petitioner is present along with his Advocate Sri C. Venkatesh to assist him. Sri Somashekar R., Section Officer, Urban Development Department (BDA), Bangalore, represents the Respondent.
2. Petitioner in his request for information dated 1-9-2008 addressed to the Public Information Officer, Department of Urban Development (BDA), has sought the following information through his Advocate Sri C. Venkatesh, who has filed a covering letter:
  - (1) Whether the Government has permitted the quashing of acquisition proceedings with regard to survey number 71 of Vajarahalli, Bananshankari, extended 6<sup>th</sup> Phase, as proposed by BDA,
  - (2) If the proposal is still pending probable time to issue Government order?
  - (3) If there is permission, then whether the applicant can apply for conversion of usage of land from agriculture to residential with regard to his site? etc.
3. In response, the Respondent issued an intimation dated 22-9-2008 addressed to Sri C. Venkatesh, Advocate, stating that the relevant record relating to the request for information of the Petitioner i.e., regarding acquisition of land, has been sent to the Chief Minister's office and after receipt of the same, information would be provided to the Petitioner.
4. However, the Petitioner filed a complaint to the Commission on 1-3-2009 under section 18(1) of the RTI Act stating that the Respondent has failed to furnish the information and there is a delay of almost 172 days.
5. Commission issued summons on 15-4-2009.
6. In response, the Respondent has filed his replies dated 10-6-2009 stating that the relevant information has been furnished to the Petitioner on 10-6-2009. In his replies, the Respondent has stated that the record no. UDD 198 BDA 2008 which was sent to the Chief Minister's office was returned, after the election to Lok Sabha, without orders, on the proposal of the BDA in respect of omitting the acquisition of land in survey number 71 of Vajarahalli village to an extended 6<sup>th</sup> Phase.
7. However, the Petitioner states that the Respondent may be directed to provide order of the competent authority after the approval of the Chief Minister's office has been obtained.
8. **However, the Commission noted undue delay in responding to the request for information. Therefore, the Commission directs the Respondent to be cautious and prompt in dealing with the requests for information received under the RTI Act, 2005.**
9. In view of the compliance and in terms of the direction, the complaint is disposed off as having been complied with.
10. Dated, draft corrected, signed and pronounced in the open court, this 26<sup>th</sup> day of June 2009.

**(K. A. THIPPESWAMY)**  
STATE INFORMATION COMMISSIONER

Addresses of parties:

<b>KIC 1816 PTN 2009</b> Sri M. S. Premchandra, Under Secretary to Government and PIO, Urban Development Department (BDA), Vikasa Soudha, Bangalore-560 001.	<b>KIC 1816 PTN 2009</b> Sri C. Kashinath, S/o Late Channappa, Tailor, No. 167, 2 <sup>nd</sup> Cross, 2 <sup>nd</sup> Main Road, VHBCS Layout, WOC, Near Shankar Mutt Circle, Bangalore-560 086.
<b>KIC 1816 PTN 2009</b> Sri C. Venkatesh, Advocate, No. 62 (Ground Floor), 27 <sup>th</sup> Cross, Cubbonpet Main Road, Bangalore-560 002.	