

OFFICE OF THE APPELLATE AUTHORITY

{Under section 19(1) of RTI Act 2005}

**C/o CGEWHO, 6th FLOOR, 'A' WING
JANPATH BHAWAN (Old Indian Oil Building),
JANPATH
NEW DELHI-110 001**

AA's Reference No.	AHC/001 dated the June 7, 2011
Name of the Appellant	Dr Arun Bhardwaj
Address of the appellant	C-1/44, Kendriya Vihar, Near Sun City, Bopal PO Ahmedabad-3800058 Gujrat.
Name of the Public Authority	Central Government Employees Welfare Housing Organization (CGEWHO), 6 th Floor, 'A' Wing, Janpath Bhawan, New Delhi-110 001.
Reference	Your appeal before the Hon'ble CIC and hearing done thr. Video Conferencing on 30/05/2011..

Background :

- 1 Dr Arun Bhardwaj, is a beneficiary in the CGEWHO's Ahmedabad Housing Scheme for a 'C' type dwelling unit having Regn No. AHC0001. He has taken peaceful possession of his dwelling unit with two car parkings CS-7 and CS-8 in the month of Jan-2006 and July 2009 respectively. The appellant now sought allotment two scooter parking SS-26 and SS-28 vide his letter dated 04/09/2009 along with a demand draft of Rs.30,000/.
- 2 A note of approval was put to CEO/CGEWHO on 11/09/2009, which was approved in principle but, could not be allotted since there is no provision for third and fourth parking in CGEWHO's integrated computer system, as quoted by Officer (IT). CGEWHO received many correspondence referring to the LANDMARK JUDGEMENT OF BOMBAY HIGH COURT, (copy of which may please find by visiting this link in the website) : <http://bombayhighcourt.nic.in/data/judgements/2008/CFA1808707.pdf> and JUDGEMENT OF HON'BLE SUPREME COURT (copy of which may please find by visiting this link in the website) : <http://judis.nic.in/supremecourt/helddis.aspx>, a copy of this judgement is published in CGEWHO's website. Continued to next page....

3. Since, there was no framed policy/rules on allotment of parking(s) in any project, the issue was deliberated in the Executive Committee of CGEWHO on 13/01/2010, in light of the above Judgement(s) and now, the rules has got approval of EC/CGEWHO and in position. However, Dr Bhardwaj was not informed about all these internal process from time to time which leads him to petition in Public Grievance Cell of Ministry and sought information under RTI Act which were attended to.
- 5 Meanwhile, his demand draft has got expired and returned to him. Lapse on behalf of dealing officer was regretted during the Video-Hearing.

Decision of Hon'ble Information Commissioner :

During the hearing through Video, it was ordered by the Hon'ble IC that

- ❖ A template (FORMAT) of NOC duly signed by the concerned Apartment Owners Association is required to be produced to CGEWHO, in case of allotment of additional parking(s) to any beneficiary along with the requisite amount of demand draft towards the cost of parkings.
- ❖ The copies of ORDER of the Hon'ble Supreme Court and Mumbai High Court either be web-published or be provided free of cost.
- ❖ Flaw in action taken be explained which leads to grievance and beneficiary was compelled to seek information under RTI. Entire case should be put on Website with its EC & GC MoM in order to maintain transparency which are being implemented by the concerned officer.

The case is disposed off accordingly.

Date : 07/06/2011

Encl : As stated

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Name and address of the parties :