

BEFORE DR. GITA RAWAT, JOINT SECRETARY & FIRST  
APPELLATE AUTHORITY

(Under Section 19 of RTI Act, 2005)

MINISTRY OF LAW & JUSTICE: DEPARTMENT OF LEGAL AFFAIRS  
ROOM NO. 408, 'A' WING, SHASTRI BHAWAN, NEW DELHI 110001

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Appeal No.21(49)/2014-IC

Date: 22.04.2014.

In the matter of

Shri Prabhakar Prasad,  
Advocate, Kusum Vihar Colony,  
Near Telephone Exchange,  
P.O. BCCL, T/S. Distt. Dhanbad,  
Jharkhand-822101

Appellant

Versus

Central Public Information Officer  
Ministry of Law & Justice  
Department of Legal Affairs  
Shastri Bhawan  
NEW DELHI – 110001

Respondent

Date: 21.04.2014

ORDER

The appellant has filed an appeal on 24.3.2014 received on 28.3.2014 under Section 19 of the RTI Act for not getting the information furnished by the CPIO, the respondent vide letter NO. 21(49)/2014 dated 31.3.2014.

**Brief facts of the case:**

1. The appellant vide his application dated 15.1.2014 received on 29.1.2014 sought information relating to Notary Public.
2. The respondent has collected the information from the concerned sections of this Ministry and sent the reply to the appellant vide letter No. 21(49)/2014-IC dated 27.3.2014.
3. Being aggrieved with the information of the respondent the appellant has filed an appeal received on 28.3.2014.

4. I undersigned have been appointed as Appellate Authority in the matter on. After perusal of the facts of the case it appears that no hearing is required in this matter.

Observation

5. On perusal of the record it appears that the information furnished by the respondent vide letter dated 27.3.2014 is the substantive response for the information asked by the applicant in the original application.
6. I have assessed the facts and circumstances of the case and come to the conclusion that the CPIO, the respondent has acted as per provisions of Act. It appears that the appellant has not received the reply of the respondent. Hence, the respondent is directed to send again a copy of his reply to the appellant. In view of keeping the principles of natural justice the appeal is rejected.
7. The appellant may kindly note that since the proceeding has been closed, no further hearing may be conducted in this matter. Moreover, if there is any grievance against the order of the Appellate Authority, he may file second appeal before the Hon'ble CIC sitting at 2<sup>nd</sup> Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110066 (within 90 days) i.e period as prescribed under the provision of RTI Act, 2005.

  
(DR. GITA RAWAT)

Joint Secretary & Appellate Authority

Date: 22.4.2014

Copy to:

1. Shri Prabhakar Prasad, Advocate, Kusum Vihar Colony, Near Telephone Exchange, P.O. BCCL, T/S. Distt. Dhanbad, Jharkhand-822101
2. Smt. Asha Sota, CPIO/Under Secretary, Deptt. of Legal Affairs.

(DR. GITA RAWAT)  
Joint Secretary & Appellate Authority  
CCM, 22.4.2014

F.No.21 ( 49 )/2014-IC  
Government of India  
Ministry of Law & Justice  
Department of Legal Affairs  
IMPLEMENTATION CELL

Shastri Bhawan, New Delhi  
Dated: 27.03.2014,

To  
Shri Prabhakar Prasad  
Kusum Vihar Colony, Near  
Telephone Exchange,  
Post- B. C. C. L Township,  
Dist- Dhanbad (Jharkhand) - 826005.

Subject: - Information under RTI Act, 2005.

Sir,

I am to refer to your RTI application dated 15-01-14 (received on 29-01-14) on the subject mentioned above and to enclose herewith information received from the concerned Section as Annexure.

2. There is some inadvertent delay in furnishing the information which is unintentional & is regretted.

3. Dr. Gita Rawat, Joint Secretary & Legal Adviser, Ministry Of Law & Justice, Department of Legal Affairs, Room No. 408, 'A' Wing, 4<sup>th</sup> floor, Shastri Bhawan, New Delhi-110001, Tel No. 23384777, is the 1<sup>st</sup> Appellate Authority. The period of limitation for filling the 1<sup>st</sup> Appeal is 30 days.

Encl : As above

Yours faithfully,

(K. Ginkhan Thang)  
Deputy Secretary & CPIO  
Tel. No. 23384706

Received  
27.03.2014

No. 5A(73)/2014-NC  
Government of India  
Ministry of Law & Justice  
Department of Legal Affairs  
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Dated: 18<sup>th</sup> March, 2014.

Subject: Information sought for by Sh. Prabhakar Prasad, Advocate,  
Dhanbad, Jharkhand about the status of his application, under  
RTI Act, 2005.

Central Assistant Public Information Officer, vide Office  
Memorandum No. 21(49)/2014-IC dated 24.1.2014 has forwarded a copy  
of RTI request of Sh. Prabhakar Prasad, Advocate, Dhanbad, Jharkhand  
about the status of his application.

2. We may, if approved, provide following information to CAPIO:-

As per records maintained in Notary Cell of this Department,  
the memorial/application of Sh. Prabhakar Prasad has been  
rejected on the grounds of column 10(2) is  
incomplete/incorrect. (copy enclosed).

3. The information is being provided is not barred from disclosure under  
RTI Act, 2005.

Submitted for approval please.

(18.03.2014)

~~SO/NC~~

~~DLA/CA~~

26/3/14

4/5  
26/3

S.D. (T.C.)

18/3/2014



F.No. 5(15)/2011-NC(Jharkhand)  
Government of India  
Ministry of Law & Justice  
Deptt. Of Legal Affairs  
(Notary Cell)

4<sup>th</sup> Floor, 'A' Wing, Shastri Bhawan,  
New Delhi, the 14.8.2012.

To

Prabhakar Prasad, Advocate,  
Kusum Vihar Colony, Near Telephone  
Exchange, P.O. BCCL T/S, Distt.  
Dhanbad(Jharkhand)-822101.

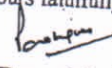
Sub.: Application for appointment as Notary

Sir/Madam,

With reference to your application/Memorial dated 03.10.10 on the subject cited above, it is informed that your memorial has been examined and found to be incomplete due to the following deficiencies. As it is not in conformity with the requirement of Rule 4 and Rule 6(1) of the Notaries Rules, 1956, your said application/Memorial can not be considered and the same is accordingly **rejected**. It is also further informed that you may, if desires, submit a fresh memorial, duly filled in, **only on expiry of six months** from the date of issue of this letter.

Sl. No.	Deficiencies	Required documents
1.	Original memorial not received	
2.	Memorial is not in accordance with Notaries (Amendment) Rules, 2009	
3.	Memorial is not in prescribed format as amended in 2001	
4.	Column 10(2) of form-I is incomplete/incorrect	
5.	Column 10(3) of form-I is incomplete/incorrect	✓
6.	No counter signature of Magistrate	
7.	No counter signature of Manager of a Nationalized Bank	
8.	No counter signature of Merchant with name and address of the firm	
9.	No counter signature of one/two prominent inhabitants of the area	
10.	Duly attested copy of Matriculation Certificate not enclosed	
11.	Duly attested copy of Graduation Degree Certificate not enclosed	
12.	Duly attested copy of LLB Degree not enclosed	
13.	Duly attested copy of Enrolment Certificate of the concerned Bar Council not enclosed	
14.	Duly attested copy of SC/ST/OBC Certificate not enclosed	
15.	Attested copy of PAN Card/Income Tax Return not enclosed	
16.	Area of practice is not mentioned	
17.	Photograph is not affixed	
18.		
19.		

Yours faithfully,

  
(Poonam Suri)  
Deputy Legal Advisor and  
Competent Authority