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BEFORE SHRI G.S. YADAV, JOINT SECRETARY & LEGAL ADVISER
AND FIRST APPELLATE AUTHORITY (NOTARY)

(Under Section 19 of RTI Act, 2005)

MINISTRY OF LAW & JUSTICE, DEPARTMENT OF LEGAL AFFAIRS, ROOM
NO. 406-B 'A' WING, SHASTRI BHAWAN, NEW DELHI-110001

Appeal No. 41/JS&LA(GSY)/NC/RTI/2016

IN THE MATTER OF:

Mrs. Pradnya V. Mhatre
C/o Reliance Corporate IT Park Ltd.,
WS 201, 8th Floor, A-Wing TC-23,
Thane Belapur Road,
Navi Mumbai - 400701

- Appellant

Versus

Central Public Information Officer (NC)
Ministry of Law & Justice
Department of Legal Affairs
R.No. 433(A), Shastri Bhawan,
New Delhi - 110001

- Respondent

ORDER

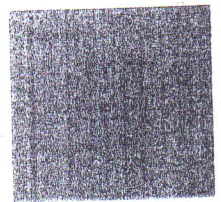
Date: 03.10.2016

Keeping in view the reply of CPIO dated 5.8.2016, the appellant has preferred this appeal as the required information has not been furnished by the notary concerned till date.

2. Notices were issued to both the parties and in response thereof, CPIO is present in person whereas on behalf of appellant his proxy Pandharivale S. Rajeshirke is present.
3. Heard the parties at length and perused the record very carefully.

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4. The reply of CPIO dated 5.8.2016 as well as reminder dated 23.8.2016, the CPIO has brought to my notice that she has made her best efforts so that required information may be furnished to the appellant as the required information is with the notary and not with the CPIO. The proxy on behalf of the appellant has also admitted that the concerned notary has written a letter dated 16.9.2016 to the appellant wherein it has specifically been mentioned that "I will render my best cooperation to you. Please provide me the documents you are to inquire also your contact number".

5. The appellant after receiving this letter has not made efforts to contact the notary either in person or phone but simply approached the CPIO again. I see no reason particularly when CPIO has directed the notary to provide the information why appellant has not approached the notary concerned. Till it is not on record that notary is reluctant to provide the required information no fresh order is required resulting on merits appeal fails and the same is dismissed accordingly.

6. However, CPIO is directed to write a letter to the notary taking in view her letter dated 16.9.2016 to provide the required information failing which action as available under Notaries Act will be initiated against her. At the same time, appellant is also required to contact the notary for obtaining the required information.

6. In case the Appellant is aggrieved with this order, he may file a second appeal before Hon'ble CIC, 2nd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 within the time period as prescribed under the provisions of RTI Act, 2005.

The parties are informed accordingly.

Handwritten signature and date:
3. x. 16

(G.S. Yadav)

Joint Secretary & Legal Adviser And
First Appellate Authority
Tel. No. 23384630

1. Mrs. Pradnya V. Mhatre, C/o Reliance Corporate IT Park Ltd., WS 201, 8th Floor, A-Wing TC-23, Thane Belapur Road, Navi Mumbai - 400701
2. DLA/CA & CPIO (NC), Department of Legal Affairs, M/o Law & Justice, R.No.433-A, Shastri Bhawan, New Delhi - 110001 (along with copy of 1st Appeal).