

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

Appeal No.21(7)/2014-IC

Date: 27.05.2014.

In the matter of

Shri R. Hari,
4, Cambridge Road,
1st Cross, Halasaru,
Bangalore-08 (Karnataka State)

Appellant

Versus

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

Respondent

Date: 27.05.2014

ORDER

The appellant has filed an appeal on 17.2.2014 received on 20.02.2014 under Section 19 of the RTI Act for not getting the information furnished by the CPIO, the respondent vide letter No. 21(7)/2014 dated 28.01.2014.

Brief facts of the case:


1. The appellant vide his application dated 23.12.2013 received on 01.01.2014 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(7)/2014-IC dated 28.01.2014.
3. Being aggrieved with the information of the respondent the appellant has filed an appeal received on 20.2.2014.

Issued
Jays

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 28.1.2014 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 received the reply of respondent but has not acted accordingly and filed the present appeal without compliance. Hence, appellant is directed to submit the application afresh again for consideration of his appointment as Notary Public. The application sent by him does not fulfilled the statutory requirement. Kindly submit application according to Notary act..
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 2nd 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) 27/5/14

Joint Secretary & Appellate Authority
Date: 27.5.2014

Copy to:

1. Shri R. Hari, 4, Cambridge Road, 1st Cross, Halasuru, Bangalore-08 (Karnataka State)
2. Smt. Asha Sota, CPIO/Under Secretary, Deptt. of Legal Affairs.

(DR. GITA RAWAT)
Joint Secretary
First Appellate Authority
Ministry of Law & Justice
(Deptt. of Legal Affairs)
Govt. of Karnataka

RK-140879970IN-24/12/13

(7) | 2013-IC

BANGALORE,
Dated: 23-12-2013.

FROM:

R. HARI, M.A.L.L.B.,
#4, Cambridge Road,
1st Cross, Halasuru,
BANGALORE - 08 (Karnataka State).

"REGD. POST ACK. DUE"

TO

The Deputy Legal Advisor & CPIO,
Govt. of India,
Ministry of Law & Justice,
Department of Legal Affairs,
NOTARY CELL,
Shastri Bhavan, NEW DELHI - 110001.

Sir,

SUB:- Information under RTI Act, 2005 - R. HARI,
Advocate, appointment of Notary, Bangalore - Reg.

- 1) Please refer your letter No. 5A/15/2013-NC, G.O.I.,
Ministry of Law and Justice, Department of Legal Affairs,
Notary Cell dated 14-05-2013.
- 2) I am enclosing herewith a copy of my letter dated
11-04-2013 which No. of officers not bothered about my letters
and going on telling that my application have not received and
apply for fresh application under the Notaries Act, 1952 and
Notaries Rules, 1956.
- 3) What has happened to my applications submitted through,
1) Hon'ble Minister, Sri.G.H. Muniyappa to Minister,
Venkatapathy, Minister for Law & Justice.
2) Hon'ble Minister, Sri.Salman Khan, then Minister for
Law & Justice.
3) Hon'ble Prime Minister. PMO I.D.No.7/3/2012 - P4/437546
dt. 3-10-2012, addressed to Section Officer, Law & Justice.

You are requested to take immediate action and issue appoint-
ment of Notary without any delay otherwise I have no other
alternative except to approach for the Legal remedy in Karnataka.

Thanking you,

Encl:

One letter.

Yours faithfully,

(R. HARI).

R. HARI, M.A., L.L.B.
ADVOCATE

No. 4, Cambridge Road, 1st Cross
Uisoor, Bangalore-560008.

Dr. F. K. Kunder
P.P. send to
N.C.B.
11/1/14

RTI
RTI/LA
R&Dy. No. 04
Dated 11/1/14

R. HARI, M.A., LL.B.
ADVOCATE

No.4, Cambridge Road, 1st Cross,
Ulsoor, Bangalore- 560008.

PHONE : 25554919

To
1. Ms. Asha Sota
Under Secretary, CPIO,
Department of Legal Affairs,
Shastri Bhavan,
New Delhi -110011.

2. Shri G D Sharma
Under Secretary Govt. Of India,
Ministry of Law and Justice,
Department of Legal Affairs,
Implementation Cell,
Shastri Bhavan,
New Delhi -110011.

3. The Section Officer,
Notary cell,
Ministry of Law and Justice,
Department of Legal Affairs,
Implementation Cell,
Shastri Bhavan,
New Delhi -110011.

**SUB: INFORMATION UNDER RTI ACT 2005 AND PUBLIC
GRIEVANCES PETITION - REGARDING.**

Sir,

Ref: My application under RTI Act 2005 Dated 5.12.2012

1. Ms. Asha Sota, Letter F No.21/1762/2013-IC dated 28/01/2013, received on 08/03/2013 and Letter F No.21/1762/2013-IC dated 04/03/2013, received on 07/03/2013.

2. It is stated under reference that my application have not been received. It is very much surprise to not the ^{reply} reply. It is nothing but a mischievous vogue, evasive, false and irresponsible reply and for from truth and fact. It can not be believable, agreeable, and acceptable. I am making correspondence from the year 2003 to till date. My application was sent through the Honorable Minister Shri K H Muniyappa. The then Honorable Minister for Shipping and Road Transport and High ways, Govt. of India, New Delhi. The application was sent to Shri K

2

R. HARI, M.A., LL.B.
ADVOCATE

No.4, Cambridge Road, 1st Cross,
Ulsoor, Bangalore- 560008.

PHONE : 25554919

- Venkatapathy, Honorable Minister of state for Law and Justice. Shastri Bhavan, New Delhi. A copy of the letter dated 17/02/2009 is enclosed. Whether this application is false?
3. A copy of the application was sent to Honorable Minister Shri Salman Kurshid, then Honorable Minister for Law and Justice. Shastri Bhavan, New Delhi on 31/08/2012. Copy enclosed herewith. Whether this application is false?
 4. In this connection please refer No. A 60011/5/2013 Govt.of India, Law and Justice (dept of Legal Affairs) Adm-1(LA) dated 23/01/2013. Shastri Bhavan, New Delhi. Wherein forwarded by petition dated 08/09/2012 in original along with it enclosures by the PM Office vide their letter PMO ID No.7/3/2012 – P4/437546 dated 03/10/2012 on the subject mentioned above for appropriate action. Hence your contention that application was not received is absolutely not agreeable and false reply.
 5. I met two times one Asst/Deputy Secretary Shri Raghupatthy at Law and Justice Office. Who was in charge of Notary Cell at Shastri Bhavan, New Delhi. He promised that he will send the order as early as possible. This is a fact.
 6. Now your reply letter under reference is absolutely a false and I can not agree with you.
 7. Wherefore instead of making unnecessary correspondence it right time to issue me a notary appointment to end this matter which is pending from the year 2003 and avoid further correspondence.

Thanking You,

Yours Faithfully

Bangalore
Dated: 11-11-2013

(R HARI)

Copy to: Honorable PM Office Parliament Street, New Delhi, reference to your letter above date 03/10/2012. For info and favour of needful action.

F.No.21 (7)/2014-IC
Government of India
Ministry of Law & Justice
Department of Legal Affairs
IMPLEMENTATION CELL

Shastri Bhawan, New Delhi
Dated: 28.01.2014.

To
Shri R. Hari, M.A.L.L.B.,
#4, Cambridge Road,
1st Cross, Halasuru,
Bangalore-08 (Karnataka State)

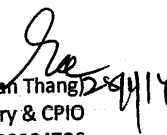
Subject: - Information under RTI Act, 2005.

Sir,


I am to refer to your RTI application dated 23-12-2013 (received on 01-01-14) on the subject mentioned above and to enclose herewith information received from the concerned Section as Annexure.

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

Yours faithfully,


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

Encl : As above


Received
30.1.2014

No. 5A(15)/2013-NC
Government of India
Ministry of Law & Justice
Department of Legal Affairs

Dated: 23rd January, 2014.

Subject: Information sought for by Shri R. Hari, under RTI Act, 2005.

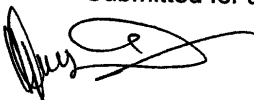
Implementation Cell, vide O.M.No.21(7)/2014-IC dated 23.12.2013 has forwarded a copy of RTI request of Shri R. Hari, Karnataka, about his Notary application dated 15.02.2003.

2. It may be mentioned here that this Department has already informed to Sh. R. Hari on 8.6.2004, 14.05.2013 and also informed to Implementation Cell on 30.04.2013 & 15.05.2013 that the application dated 15.2.2003 has been rejected. Now Sh. R. Hari has again made RTI request need information about his applications sent through various Higher Authorities. If approved, we may provide following information to CAPIO:-


The application dated 15.02.2003 of Shri R. Hari was rejected and the information had already been conveyed to him vide this Department's letter No.5(272)/2004-NC dated 8/6/2004. In the case of rejection of an application, generally the applicant is advised to apply afresh strictly after six months of rejection of his application to avoid another rejection if applied before expiry of six months. The information sought mentioned in para 3 are for consideration of the application/memorial submitted in the year 2003 which was rejected & not for any fresh memorial. Since the application submitted in the year 2003 was already rejected, further consideration of the same does not arise.

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

Submitted for approval please.


(23.01.2014)

SO(NG)

DLA 
24/1

SO(MC) 
24/1

SO(I.C.)

Yemi
24/01/2014