

5A (175)/2012-NC

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. 403, 'A' WING, SHASTRI BHAWAN, NEW DELHI 110001  
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Appeal No 23(132)/2012-IC

Date: 16.8.2013

In the matter of

Shri Chhatter Singh  
Aamli Paari Kasba Bari  
Dholpuri, Rajasthan.

Appellant

Versus

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

Respondent

DATE: SIXTEENTH AUGUST TWO THOUSAND THIRTEEN.

Date: 16.8.2013

None is present on behalf of the appellant.  
Shri Jagdish Kumar is present on behalf of respondent.

ORDER

The appellant has filed an appeal on 17.10.2012 received on 23.10.2012 under Section 19 of the RTI Act against the information furnished by the CPIO, the Respondent vide letter no. 21(1148)2012-IC dated 10.09.2012.

**Brief facts of the case:**

1. The appellant vide his application dated 02.08.2012 received on 17.08.2012 sought information relating to documents of appointment of Shri Rajesh Kumar Bansal as Notary Public.
2. The respondent has collected the information from the Notary Cell and furnished the information to the appellant by stating that information sought by the appellant is relating to third party documents and simultaneously a letter was

23/8/13  
m.p.

NOTARY CELL  
Dept. of Legal Affairs  
Dy. No. 1162/NZ/2013  
Date: 26/8/13

written to Shri Bansal on 27<sup>th</sup> August, 2012 requesting him to furnish any objection if he has any objection in disclosing the information regarding his appointment as Notary to Shri Chhatter Singh.

3. Aggrieved with the reply of the respondent the appellant has filed this appeal on the ground that the documents of Shri Bansal asked by him are not personal but they are official documents. Such documents may be provided to him. He has requested for condonation of delay in filing appeal due to non-availability of postal order in the Post Office
4. A notice was sent to the appellant on 08.11.2012 directing him to attend the hearing on 20.11.2012 at 3 PM in Room no. 408, Shastri Bhavan, New Delhi .
4. It appears from the record that the appellant has failed to attend the hearing while the respondent was present. The appellate authority concluded the proceeding by closing the matter but the order could not be passed due to some administrative reasons.

#### Observations

5. On perusal of the records it appears that record is silent that the document of Shri Bansal i.e third party is a confidential document which cannot be given to the appellant. In the absence of such material the requisite information asked by the appellant may be furnished. Delay is condoned in filing the reply on the justified reasons given by the appellant.
6. The respondent is directed to furnish the information as asked by the appellant in his original application dated 02.08.2012. There is no legislative bar in terms of record available before the appellate authority. Accordingly, the appeal is disposed of.
7. The appellant may kindly note that since the proceeding has been closed no further hearing may be provided in this matter. If there is any grievance against the order of the Appellate Authority he may file a second appeal before the Hon'ble CIC sitting at 2<sup>nd</sup> Floor, August Kranti Bhawan, Bhikaji Cama Palace, 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: 16.8.2013

#### Copy to:

1. Shri Chhatter Singh, Aamli Paari Kasba Bari, Dholpuri, Rajasthan.
2. Smt. Asha Sota, CPIO/Under Secretary, Deptt. of Legal Affairs.
3. Mr. Jagdish, S.O. RTI Section, Deptt. of Legal Affairs.
4. ✓ S.O., Notary Cell, Department of Legal Affairs.