

BY HAND

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. 13/JS&LA(GSY)/NC/RTI/2015

IN THE MATTER OF:

Shri Devendra S. Doctor
C/2, Sonawala Building No.4
Tardeo
Mumbai – 400007
Maharashtra

Appellant

Versus

Central Public Information Officer(N)
Ministry of Law & Justice
Department of Legal Affairs
Shastri Bhavan
New Delhi – 110001

Respondent

ORDER

30.03.2015

Feeling aggrieved with the decision of CPIO dated 03.03.2015 with regard to application of the appellant dated 10.2.2015 vide which he has asked the information under the provisions of the RTI Act, appellant has filed the present appeal under the provisions of Section 19 of the Act, received in this office on 17.3.2015.

2. The notices were issued to the parties for affording a personal hearing in case they so desired and in compliance thereof, the appellant in person is present here whereas CPIO is not feeling well, so, the same is being represented by the Section Officer of the Notary Cell.

3. Heard the parties at length and gone through the documents which have been submitted/referred during the course of arguments as well as gone through the entire materials placed on record and the information furnished by the CPIO to the appellant very carefully.

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4. A perusal of the reply/information provided by CPIO dated 3.3.2015 reveals that what information was asked in a particular way, does not meet the ends of justice as was sought by the applicant there now appellant. It has been specifically submitted by the appellant that in the matters of renewal, the name of present notary does not figure and he has shown a photocopy downloaded from the Website of this Ministry. The same was shown to the Section Officer also. The appellant in his appeal has asked only to "Direct your PIO to provide information henceforth as I had sought and penalize for deliberately not provided the same".

5. In view of above and as the documentary evidence that too from the Website of the Ministry has been placed before me, I find no reason or rhyme to ignore the same. For the reasons stated above, appeal deserves to be allowed.

6. The appellant has also specifically mentioned in the prayer to penalize the CPIO. Considering the facts and evidence, the CPIO is accordingly warned not to furnish reply in such a way otherwise the basic object enshrined in the RTI Act will be frustrated and will give rise to leisure litigation.

7. The appeal is allowed accordingly. CPIO is directed to provide the correct information as has been sought by the appellant vide his application dated 10.2.2015 within a period of 15 days from the date of the order that too free of cost.

8. 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 be informed accordingly.

filed renewal list as photo also
30/3

(G.S. Yadav)
30/3/15
Joint Secretary & Legal Adviser &
First Appellate Authority
Date: 30.03.2015

1. Shri Devendra S. Doctor, C/2, Sonawala Building No.4, Tardeo, Mumbai - 400007, Maharashtra.
2. DLA & CPIO (Notary), Department of Legal Affairs, Ministry of Law & Justice, Shastri Bhawan, New Delhi - 110001.
3. RTI Cell, Department of Legal Affairs, Shastri Bhawan, New Delhi-110001.

✓
Recd
30/3/15