

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(264)/2014-IC

Date: 29.05.2014.

In the matter of

Shri O.P. Nahar,
Advocate,
Chamber No. 65,
Patiala House Courts,
New Delhi.

Appellant

Versus

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

Respondent

Date: 29.05.2014

ORDER

The appellant has filed an appeal on 17.4.2014 received on 17.4.2014 under Section 19 of the RTI Act for not getting the information furnished by the CPIO, the respondent vide letter NO. 21(264)/2014 dated 4.4.2014.


Brief facts of the case:

1. The appellant vide his application dated 11.3.2014 received on 11.03.2014 sought information relating to 5th Pay Commission.
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(264)/2014-IC dated 4.4.2014.
3. Being aggrieved with the information of the respondent the appellant has filed an appeal received on 17.4.2014.

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 4.4.2014 is the substantive response for the information asked by the application in his original application dated 11.3.2014.
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 applicant has not received the reply of respondent who is directed to send a copy of reply to the appellant by speed post within a month from the date of receipt of this order. In view of keeping the principles of natural justice the appeal is decided.
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) 29/5/14
Joint Secretary & Appellate Authority
Date: 29.5.2014

Copy to:

1. Shri O.P. Nahar, Advocate, Chamber No. 65, Patiala House Courts, New Delhi.
2. Smt. Asha Sota, CPIO/Under Secretary, Deptt. of Legal Affairs.

RECEIVED
29/5/2014
Joint Secretary & Appellate Authority
Department of Legal Affairs
Ministry of Information & Public Relations
Government of India

FTS. No.21 (264)/2014-IC
Government of India
Ministry of Law & Justice
Department of Legal Affairs
IMPLEMENTATION CELL

Shastri Bhawan, New Delhi.
Dated 04.04.2014

To

Shri O.P. Nahar,
Advocate,
Chamber No.65,
Patiala House Courts,
New Delhi-110001.

Subject:- Information under RTI Act, 2005.

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Sir,

I am to refer to your letter dated 11.03.2014 (received on 11.03.2014) on the subject mentioned above and to say that concerned Section of this Department has furnished the information which is enclosed at **Annexure-'A'**.

2. Dr.(Smt.) 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 filing the 1st Appeal is 30 days.

Yours faithfully,

(K.GINKHAN THANG)

DS&Central Public Information Officer
Tele: 23384706

2
Issued
7.04.2014

Am. 'A'

NO.G-21017/2/13-Cash(LA)
Government of India
Ministry of Law & Justice
Department of Legal Affairs

RTI MATTER

Dated, the 3rd March, 2014
4th April, 2014

NOTE


Subject :- Information under the RTI ACT, 2005.

The undersigned is directed to refer to Implementation Cell's Note No. 264/2014-IC dated 12.3.2014 on the subject mentioned above. The information sought by the applicant and the information as per available records, is as under.

Point No.	Information sought	Reply
1.	At the time of implementation of 5 th Pay Commission the Central Govt. decided to retain certain amount of arrears for some period. Please describe the total amount along with percentage of the amount detained of Sh. O.P. Nahar and provide copy of the decision thereof.	As per record available with Cash Sh. O.P. Nahar was not on the pay roll of the headquarters of Deptt. of Legal Affairs during the period under reference.
2.	Also provide the date and quantum of payment, and in how many installments, of the aforesaid retained amount to Sh. O.P. Nahar and also mode of payment, if in cash or by cheque.	Question does not arise
3.	If the aforesaid payment is made by cheque then provide the number and date of cheque and when such cheque is drawn by his banker. If payment is made by cash then provide copy of the receipt signed by Sh. O.P. Nahar along with the amount.	Question does not arise

It is certified that the information furnished above in not barred from disclosure under the RTI ACT.

Smt. Asha Sota
Under Secretary & CAPIO,
Department of Legal Affairs
New Delhi.


(A.K. Chawla)
Cash Officer/DDO

To,

Dr. Gita Rawat
Joint Secretary & Legal Adviser &
1st Appellate Authority under RTI Act,
Deptt. of Legal Affairs, Ministry of Law & Justice,
Shastri Bhawan, New Delhi

IMPLEMENTATION CELL
FTS Dy. No. 399
Date 17-04-14

Hon'ble Madam,

This is First Appeal against deemed refusal, after expiry of 30 days, of the information sought from Central Public Information Officer vide RTI Application dated 11-03-2014 whereby following information was requested: —

1. At the time of implementation of 5th Pay Commission the Central Govt. decided to retain certain amount of arrears for some period. Please describe the total amount along with percentage of the amount detained of Shri O.P. Nahar and provide copy of the decision thereof.
2. Also provide the date and quantum of payment, and in how many installments, of the aforesaid retained amount to Shri O.P. Nahar and also the mode of payment, if in cash or by cheque.
3. If the aforesaid payment is made by cheque then provide the number and date of cheque and when such cheque is drawn by his banker. If payment is made by cash then provide copy of the receipt signed by Shri O.P. Nahar along with the amount.

This appeal may be allowed and sought for information may be supplied without further delay.

Dated: 17-04-2014

P. Lambay
RTI Section
17/4
467/RTI-M.S. Rawat/14
17/4
RTI Section

Yours faithfully

[Signature]
O.P. Nahar
Chamber No. 65,
Patiala House Courts,
New Delhi- 110001

IMPLEMENTATION CELL
FTS Dy. No. 264
Date 12-03-14

To,
The Central Public Information Officer,
Deptt. of Legal Affairs,
Ministry of Law & Justice,
Shastri Bhawan, New Delhi - 10001

Sir,

Kindly supply the following information under the Right to Information Act 2005 and supply copy of the concerned record from which such information is culled out. In this regard, a fee of ₹10 by Postal Order No. 16F029618 dated 1.3.14 Post Office Patiala House, New Delhi, is attached herewith.

1. At the time of implementation of 5th Pay Commission the Central Govt. decided to retain certain amount of arrears for some period. Please describe the total amount along with percentage of the amount detained of Shri O.P. Nahar and provide copy of the decision thereof.
2. Also provide the date and quantum of payment, and in how many installments, of the aforesaid retained amount to Shri O.P. Nahar and also the mode of payment, if in cash or by cheque.
3. If the aforesaid payment is made by cheque then provide the number and date of cheque and when such cheque is drawn by his banker. If payment is made by cash then provide copy of the receipt signed by Shri O.P. Nahar along with the amount.

In Rt
P. Send to
Admn. I
S. 113

New Delhi
Dated: 11-03-2014

Yours faithfully,



O.P. Nahar,
Advocate
Chamber No. 65,
Patiala House Courts,
New Delhi-110001

Dy. No. 305 / Facility Centre
Date 11/3/14

FTS. No.21 (264)/2014-IC
Government of India
Ministry of Law & Justice
Department of Legal Affairs
IMPLEMENTATION CELL

Shastri Bhawan, New Delhi.
Dated 04.04.2014

To

Shri O.P. Nahar,
Advocate,
Chamber No.65,
Patiala House Courts,
New Delhi-110001.

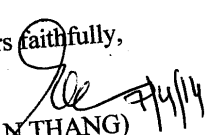
Subject:- Information under RTI Act, 2005.


Sir,

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2. Dr.(Smt.) 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 filing the 1st Appeal is 30 days.

Yours faithfully,


(K.GINKHAN THANG)
DS&Central Public Information Officer
Tele: 23384706


Received
7.04.2014