

**BEFORE SHRI SURESH CHANDRA, JOINT SECRETARY AND LEGAL ADVISER AND FIRST
APPELLATE AUTHORITY**

(Under Section 19 of RTI Act, 2005)

**MINISTRY OF LAW AND JUSTICE, DEPARTMENT OF LEGAL AFFAIRS,
ROOM NO: 419, A WING, SHASTRI BHAVAN, NEW DELHI 110 001**

APPEAL NO: 21/1156/2013-IC

Dated: 12th December, 2014

In the matter of

Shri R K Jain,
1512-B, Bhishma Pitamah Marg,
Wazir Nagar,
New Delhi 110 003

Appellant

Versus

Central Public Information Officer,
Ministry of Law and Justice,
Department of Legal Affairs,
Shastri Bhavan,
New Delhi 110 001

Respondent

ORDER

The Appellant was present.

Shri K Ginkhan Thang, Deputy Secretary and CPIO and Smt Asha Sota, Under Secretary, and CAPIO were present for the Respondent.

The Appeal was taken up for hearing on 18th November 2014.

The Appellant has filed an RTI application, No: RTI/P-298/6948/13, dated 8th July 2013 (received in the Department on 16th July 2013) seeking information regarding the number of RTI applications and Appeal disposed off from the year 2011 till date, copies of the RTI application register, Appeal Register, Annual Return submitted by the Department from the year 2010 etc.

The information was denied under Section 7(9) of the RTI Act, 2005, by the Respondent vide letter No: 21(1156)2013-IC dated 27th August, 2013, as it would disproportionately divert the resources of the Public Authority.

Since the Appellant did not receive the information within the prescribed time, he vide his letter No: RTI/P480(6948)/13/Appeal/5822 dated 17th August, 2013 preferred First Appeal for non-receipt of information. The letter from the Respondent reached the Appellant on 11th September 2013.

Not satisfied with the reply vide letter dated 27th August, 2013, the Appellant had again preferred Appeal vide Appeal letter Reference No: RTI/P-825/6948/13/Appeal/5857 dated 12th September 2013.

The then FAA (Dr Gita Rawat), vide Order dated 24th September 2013, disposed both (the Appeal Nos: 5822 and 5857) upholding the reply given by the Respondent.

Shri Jain vide letter No: RTI/P-825/6948/13/R11855 dated 29th July 2014, had stated that his appeal No: 5822 may be disposed off. As the appeal No: 5822 was already disposed off, he was informed accordingly vide letter dated 11th August, 2014 by the Respondent.

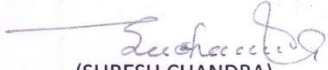
The appellants vide his letter informed that every Appeal is independent to each other and the same should be disposed off accordingly. Accordingly, notices were issued to both the parties.

The present hearing is with reference to Appeal No; 5857 dated 12th September 2013.

During the hearing the Appellant dropped Point No: G and H of his RTI application. With regard to Point No: B, the Respondent, informed that they do not maintain the records of the FAA and copies of the First Appeal Orders from 2010 are also not available. However, the Respondent agreed to provide all the available records and information in respect of Point No: C, D and E.

After hearing both the parties, I hereby direct the Respondent to provide the copies of the available documents alongwith the specific point wise reply from Points A to F of his RTI Application dated 8th July 2013, within 21 days from the date of receipt of this Order in the Section

Accordingly, the Appeal is disposed. The Appellant may please note that if he has any grievance, if any, against the order of the Appellate Authority, he may file Second Appeal before the Hon'ble CIC situated at 2nd floor, August Kranti Bhavan, Bhikaji Cama Place, New Delhi 110066, within 90 days i.e. the period as prescribed under the provision of the RTI Act, 2005.


(SURESH CHANDRA)

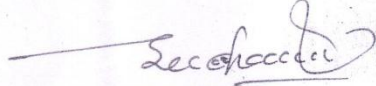
JOINT SECRETARY AND FIRST APPELLATE AUTHORITY
DATED: 12th December, 2014.

To

Shri R K Jain, 1512-B, Bhishm Pitamha Marg, Wazir Nagar, New Delhi 110 003.

Copy to:

- 1) CPIO, Department of Legal Affairs, Shastri Bhavan, New Delhi 110 001.
- 2) CAPIO, Department of Legal Affairs, Shastri Bhavan, New Delhi 110 001.


(SURESH CHANDRA)