

**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. 406-B,'A' WING SHASTRIJ BHAWAN NEW DELHI - 110001**

APPEAL No. 21(149)/2014

Dated 24-6-2014

In the matter of

Shri Subhash Chandra Agrawal,  
1775, Kucha Lattushah,  
Dariba, Chandni Chowk,  
Delhi-110006

Appellant

Versus

Central Public Information Officer  
Ministry of Law & Justice,  
Department of Legal Affairs  
Shastri Bhawan, New Delhi-110001

Respondent

DATE; TWENTY FOUR JUNE TWO THOUSAND FORTEEN

Date: 24-6-2014

**ORDER**

The appellant has filed an appeal on 21-4-2014 received on 23-4-2014 under Section 19 of the RTI Act against the information furnished by the CPIO, the respondent vide letter no.21(149)/2014 dated 16-5-14.

**Brief Facts of the case**

1. the appellant vide his application dated 10-2-14 received on 20-2-14 sought information for M.A.Khan Yusufi.
2. The respondent has collected the information from the concerned sections of this Ministry and sent the reply to the appellant vide letter 21(249)/14 dated 16-5-14.

3. Being aggrieved with the information of the respondent has filed appeal received on 23-4-14.
4. I undersigned have been appointed as Appellate Authority in the matter. After perusal of the facts of the facts of the case it appears that no hearing is required in the matter

#### OBERVATION

5. On perusal of the record the it appears that the information furnished by the respondent vide letter dated 16-5-14 is the substantive response for the information asked by the appellant in his original application dated 10-2-14.
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 the Act. Appellant is requested to contact the competent authority where his application has been transferred. Moreover, it appears that appellant has filed two appeals on 21-4-14 & 29-5-14. The respondent sent reply to appellant on 16-05-14. It is clear that appellant has not got the reply of the respondent. Hence respondent is directed to send again a copy of his reply to the appellant within a week from the date of receipt of this order. Hence both appeals are decided accordingly.
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 2<sup>nd</sup> 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.

  
24/6/14

(DR. GITA RAWAT)  
Joint Secretary & Appellate Authority  
Date: 24.6.2014

#### Copy to:

1. Shri Subhash Chandra Agrawal, 1775, Kucha Lattushah, Dariba, Chandni Chowk, Delhi-110006
2. Smt. Asha Sota, CPIO/Under Secretary, Deptt. of Legal Affairs.

(DR. GITA RAWAT)  
Joint Secretary & Appellate Authority  
Date: 24.6.2014

**BY SPEED POST**

F. No.21 (149)/2014-IC  
Government of India  
Ministry of Law & Justice  
Department of Legal Affairs  
IMPLEMENTATION CELL

Shastri Bhawan, New Delhi.  
Dated 16.05.2014

To

Shi Subhash Chandra Agrawal,  
1775, Kucha Lattushah,  
Dariba, Chandni Chowk,  
Delhi-110006.

Subject:- Information under RTI Act, 2005.

Sir,

I am to refer to your application dated 10.02.2014 transferred to this Department by the Department of Personnel & Training vide OM No.2/2/2014-RTIC/979124 dated 13.02.2014 (received on 20.02.2014) on the subject mentioned above and to say that the concerned Sections of this Department has furnished the information as follows:-

- Point No.1 As per Annexure-'A' attached.  
Point No.2 Shri M.A. Khan Yusufi was allotted Govt. accommodation in Lodhi Colony, Block No.21, House No.84 from September,1991 to 03.02.2012 by the Directorate of Estates.
- Point No.3,4,5&6 As per information available in Vigilance Unit, no such complaint against Shri M.A. Khan Yusufi was received in this Department.
- Point No.7. Your application is being transferred to Ministry of Civil Aviation.  
Point No.8. Your application is being transferred to Central Information Commission.  
Point No.9. Nil.  
Point No.10. Copies of the File-notings are enclosed.

2. There is some inadvertent delay in furnishing the information which is unintentional & is regretted

3. Dr. (Smt.) Gita Rawat, Joint Secretary & Legal Adviser, Ministry of Law & Justice, Department of Legal Affairs, Room No. 406-B, 'A' Wing, 4<sup>th</sup> Floor, Shastri Bhawan, New Delhi-110001, Tel No. 23384630, is the Ist Appellate Authority. The period of limitation for filing the Ist Appeal is 30 days.

Yours faithfully,

(K. GINKHAN THANG)  
DS&Central Assistant Public Information Officer  
TEL.23384706

Issued  
26/5/2014

Copy to:

1. The CPIO, Ministry of Civil Aviation, Rajiv Gandhi Bhavan, New Delhi alongwith copy of application dated 10.02.2014 of Shri Subhash Chandra Agrawal for providing the information on Point No. 7 directly to the applicant. The fee for seeking information has been received in this Department.
2. The CPIO, Central Information Commission, August Kranti Bhavan, 3<sup>rd</sup> Floor, Bhikaji Cama Place, New Delhi alongwith copy of application dated 10.02.2014 of Shri Subhash Chandra Agrawal for providing the information in respect of Point No.8 directly to the applicant. The fee for seeking information has been received in this Department.

Annexure - 'A'

- 3 -

No.34/3/2014-Vig.

Vigilance Unit

Subject : RTI Application of Shri S.C. Aggarwal

Ref: Implementation Cell O.M. No.21(149)/2014-IC dated 25.3.2014

With reference to the above mentioned RTI application, we have furnished information to Implementation Cell against Point Nos. 3, 4, 5 & 6 vide our notes dated 7.4.2014. Later, it was found that the information furnished by this Section was not complete.

2. As such, we may furnish the following additional information to the Implementation Cell :

Point No.1 in the RTI Application: The information relating to the postings of Shri M.A. Khan Yusufi, JS&LA (Retd) on the basis of entries in his Service Book is given below.

Designation	From	To	Department
Assistant (Legal)	19.9.1979	30.8.1988	D/o Legal Affairs
ALA	31.8.1988	6.4.1995	do
DLA	7.4.1995	11.12.1998	do
Add.LA	11.12.1998 (AN)	28.2.1999	do
Director (Legal)	1.3.1999	3.1.2001	M/o Chem & Fert
Add LA	4.1.2001	2.3.2006	D/o Legal Affairs
JS&GC/JS&LA	3.3.2006	31.12.2011 (Retd)	do

Point Nos. 2, 7, 8, 9 & 10: The queries do not pertain to Admn.I(LA) Section.

3. If approved, we may intimate the above information to Implementation Cell.

Submitted please.

IMPLEMENTATION CELL  
 FTS Dy. No. 410  
 Date 29-04-14

~~D.S.~~

Implementation Cell

Vijay  
 21/4/2014  
 Anshu  
 21/4/14

RTI  
 21/4/14  
 [Signature]

2nd issue  
 21/4/2014  
 [Signature]

FIRST APPEAL UNDER SECTION 19(1) OF RIGHT TO INFORMATION ACT

Dr (Smt) Geeta Rawat  
Joint Secretary & Legal Advisor (Appellate Authority)  
Department of Legal Affairs  
Room # 406-B, "A" wing  
Shastri Bhawan, New Delhi-110001

*Madam*

I vide my RTI petition dated 10.02.2014 complete information together with related file-notings/correspondence/documents etc on on under-mentioned aspects:

1. Is there some provision whereby food-items etc can be allowed from the canteen of Department of Legal Affairs at discretion of officers of the Department?
2. Complete information on allowing food-items etc from the canteen of Department of Legal Affairs at discretion of officers of the Department
3. Was there some limit imposed on food-items etc to be taken from the canteen of Department of Legal Affairs at discretion of officers of the Department?
4. Complete information together with all related correspondence/file-notings/documents etc on imposing the limit on food-items to be taken from the canteen of Department of Legal Affairs at discretion of officers of the Department
5. Period for which Shri MA Khan Yusufi was attached with Department of Legal Affairs
6. Complete monthwise detail on amount of food-items etc taken at his discretion by the erstwhile officer Shri MA Khan Yusufi at Department of Legal Affairs during his posting at the Department: In case monthwise detail may not be conveniently provided, then it may be provided yearwise but break-up in monthwise for those three years for which the bill in respect of Shri MA Khan Yusufi was maximum for him individually
7. Complete information on official-accomodation/s provided to Shri MA Khan Yusufi during his attachment with Department of Legal Affairs
8. Complete information together with all related file-notings/correspondence/documents etc about complaints received, if any, by Department of Legal Affairs and/or any other concerned public-authority in respect of official-accomodation/s provided to Shri MA Khan Yusufi during his attachment with Department of Legal Affairs, and on action taken on any such complaints by any concerned public-authority

*23/8/14*  
*Shri MA Khan Yusufi*  
*30/8/14*

*RTI Section*

9. Was any complaint lodged with police-authorities by anyone in respect of official accommodations provided to Shri MA Khan Yusufi during his posting at Department of Legal Affairs?
10. Complete information with all related file-notings/documents/correspondence etc on any complaint lodged with police-authorities by anyone in respect of official accommodations provided to Shri MA Khan Yusufi during his posting at Department of Legal Affairs, together with information on action taken on any such complaints
11. Complete information together with all related file-notings/correspondence/documents etc about complaints received if any against Shri MA Khan Yusufi during his attachment with Department of Legal Affairs, and on action taken on any such complaints by any concerned public-authority
12. Any other related information
13. File-notings on movement of RTI-petition

Learned CPIO vide a much-delayed RTI-response F.No.21(149)/2014-IC dated 16.05.2014 in response to query-numbers (3) to (6) replied that Vigilance Unit of the Department has no such information. But sought information should be available only with concerned police-station having jurisdiction over Lodhi Colony (Block-21, House # 84) as now informed by the CPIO in his response. I appeal that my RTI petition may kindly be directed to be transferred to concerned ones at Delhi Police under section 6(3) of RTI Act. It is prayed accordingly.

Humbly submitted



SUBHASH CHANDRA AGRAWAL

*(Guinness Record Holder & RTI Activist)*

1775 Kucha Lattushah

Dariba, Chandni Chowk

DELHI 110006 (India)

Mobile 9810033711 Fax 23254036

E-mail [subhashmadhu@sify.com](mailto:subhashmadhu@sify.com)

Web [www.subhashmadhu.com](http://www.subhashmadhu.com)

29.05.2014

**IMMEDIATE/RTI MATTER**

No. 2/2/2014 – RTIC/979124  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block, New Delhi  
Dated the 13th February, 2014

**OFFICE MEMORANDUM**

Subject: Transfer of RTI application under RTI Act, 2005

An RTI application, dated 10.02.2014, of Shri Subhash Chandra Agrawal is being transferred to Central Information Commission and Department of Legal Affairs under Section 6(3) of the RTI Act, 2005 as the subject matter of information also pertains to the aforementioned public authorities. The RTI Application has also been transferred to the concerned CPIO(s) of this department to whom the information sought closely pertains.

2. Application fee of Rs. 10/- has been received in this Department by IPO No. 11F 129990 vide receipt No. 25235 dated 12.02.2014.

Encl.: as above.

*(Signature)*  
(D. K. Sengupta)  
Under Secretary (Admn.) & CPIO  
Tele: 2309 2982

To,

The CPIO, RTI Cell,  
Central Information Commission,  
August Kranti Bhawan, Bhikaji Cama Place,  
New Delhi.

✓ The CPIO, RTI Cell,  
Department of Legal Affairs,  
Ministry of Law & Justice,  
Shastri Bhavan, New Delhi

Shri R.K. Girdhar, US(RTI)

Shri Arvind Thakur, US (SM-II)

*Shri Raghinder  
Obtain from  
from A-I Secy  
8/2/2014*

**IMPLEMENTATION CELL**  
FTS Dy. No.....  
Date.....

Copy for information to:

Shri Subhash Chandra Agrawal  
1775 Kucha Lattushah  
Dariba,  
Chandani Chowk  
New Delhi - 11006

You are requested to contact the aforementioned public authority with reference to information sought by you.

*RTI/LA*  
R&Dy. No. 322  
Dated 20/2/14



9  
12/2/14

UNDER RIGHT TO INFORMATION ACT

Central Public Information Officer  
Department of Personnel & Training (DoPT)  
North Block, New Delhi-110001

Sir

Please provide complete information together with related file-notings/correspondence/documents etc on under-mentioned aspects:

1. Complete information about all earlier postings of Shri MA Khan Yusufi (presently posted as Central Information Commissioner) prior to his appointment as Central Information Commissioner
2. Complete information on all the official-accommodation/s provided to Shri MA Khan Yusufi during his various postings with different public-authorities
3. Complete information together with all related file-notings/correspondence/documents etc about complaints received, if any, by any department where Shri MA Khan Yusufi was posted and/or by any other concerned public-authority in respect of official-accommodation/s provided to Shri MA Khan Yusufi during his postings at different departments, and on action taken on any such complaints by any concerned public-authority
4. Was any complaint lodged with police-authorities by anyone in respect of official accommodations provided to Shri MA Khan Yusufi during his various postings with various public-authorities?
5. Complete information with all related file-notings/documents/correspondence etc on any complaint lodged with police-authorities by anyone in respect of official accommodations provided to Shri MA Khan Yusufi during his various postings with different public-authorities, together with information on action taken on any such complaints
6. Complete information together with all related file-notings/correspondence/documents etc about complaints received if any against Shri MA Khan Yusufi during his attachment with various public-authorities, and on action taken on any such complaints by any concerned public-authority

10x No. 30

① Shri R.K. Girdhar  
US (RTI) → 00810/RTIC/14  
12/2/14

② Shri Arvind Thakur  
US (SM-11) → 00809/RTIC/14  
12/2/14

③ C.I.C.  
979124/2014/RTIC  
13/2/14

④ D/o Legal Affairs

7. Complete information together with all related documents/file-notings/documents etc on appointment of Shri MA Khan Yusufi as Chairperson, Airport Appellate Tribunal (Union Ministry of Civil Aviation) mentioning also names (with last post held) of other contenders for the said post
8. Information on names (with last posts held) of other contenders in the panel of the three finalized by the Search-Committee put before the Selection-Committee in respect of appointment of Shri MA Khan Yusufi as Central Information Commissioner
9. Any other related information
10. File-notings on movement of RTI-petition

In case queries relate to some other public-authority, transfer this RTI-petition to the CPIO there under section 6(3) of RTI Act. Postal-order number 11F-129990 for rupees ten is enclosed towards RTI-Act in name of "Accounts-Officer" as per DoPT-circular No. F.10/9/2008-IR dated 05/12/2008.

Regards



SUBHASH CHANDRA AGRAWAL

*(Guinness Record Holder & RTI Activist)*

1775 Kucha Lattushah

Dariba, Chandni Chowk

DELHI 110006 (India)

Mobile 9810033711 Fax 23254036

E-mail [subhashmadhu@sify.com](mailto:subhashmadhu@sify.com)

Web [www.subhashmadhu.com](http://www.subhashmadhu.com)

10.02.2014