

F. No. PB/RTI/67/2018-19
CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

61/35, Copernicus Marge,
New Delhi-110001.

Dated:11.01.2019

Appeal No. 29

Sh. Manoj Kumar

Appellant

CPIO (J)
Central Administrative Tribunal

Respondent

Facts:

The Appellant has filed this first appeal Under Section 19 (1) of the RTI Act, 2005. The facts of the present Appeal are that the appellant has filed RTI application dated 12.10.2018 through speed post, which was received by this office on 17.10.2018 for providing orders passed in OA No. 100/3700/2017, OA 100/3723/2018, OA 100/3760/2018, OA No. 100/3762/2018, OA 100/3228/2018, OA 100/3035/2018, OA No. 100/1400/2017 and OA 100/3505/2018. The ground of appeals are that the CPIO failed to supply the desired information and desired documents even after the laps of more than 30 days.

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I have gone through the Appellant's RTI application dated 12/10/2018 and RTI appeal dated 03.12.2018 which was received in this office on 06.12.2018 and reply given the CPIO (J) thereof.

In the first instance it was revealed that the RTI Appeal of the Appellant was not dealt in time as prescribed under the RTI Act by the Nodal Officer of RTI Cell. I have received this appeal on 10.01.2019 after expiry of time 30 days from dated of receipt this application. Under Section 19 (6) of RTI Act, 2005 an appeal under sub-section (1) or sub-section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty-five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing. The delay occurs on the part of Nodal officer of RTI cell cannot be permissible under the provision of RTI Act, 2005. The then Nodal Officer, RTI Cell and then RTI Assistant, RTI Cell to explain why the RTI application could not placed before the First Appellate Authority on time. The explanation is to be submitted to the Principal Registrar within 7 working days of the receipt of this order.

As per record, it is found that the CPIO (J) had replied to the Appellant within the prescribed time as per the RTI Act, 2005, which was sent to the Appellant by speed post bearing No. ED886249219IN. A copy of speed post report is taken on record wherein it is found that item was delivered on 22.11.2018.

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The requisite information/ documents in respect of Appellant RTI application were already been forwarded to appellant vide reply No. PB/RTI/67/2018-19 dated 14.11.2018. Whatsoever, if the appellant has not received the requisite information the same may be furnished to the appellant once again.

The CPIO (J), CAT, PB is directed to forward the information once again to the RTI appellant within the period of one week from the receipt of this order.

This appeal is, thus dispose of.

The appellant, if aggrieved by this order, is entitled to file a second appeal before the CIC, New Delhi Under Section 19(3) of the Right to Information Act, 2005 within 90 day from the date of communication of this order.



(Goutam Mondal)
Principal Registrar/ First Appellate Authority

Copy To:

1. Shri Manoj Kumar C/o Sh. Mahendra Prasad Singh
- Additional Public Prosecutor,
MoH- Biratpur (Dr. S. A. Singh Path)
Distt- Aurangabad
Bihar-824101
2. The CPIO (J) CAT, PB, New Delhi.
3. The then Nodal Officer, CAT,PB, New Delhi
4. SO (c) to upload it on the official website of Central Administrative Tribunal, Principal bench, New Delhi.
5. Then RTI Assistant, CAT,PB, New Delhi.