

No. 01/05/2015/RC-II
Government of India/Bharat Sarkar
Ministry of Mines
(Revision Cell)

Shashtri Bhawan, New Delhi
Dated:- March 2, 2015

To

Shri R. Ananad Kumar,
46/22B, Ramkrishan Road,
Salem - 636 007
(Tamil Nadu)

Sub: First Appeal of Shri R. Anand Kumar, Tamil Nadu under section 19(1) of the RTI Act, 2005.

Sir,

I am directed to refer to your First Appeal dated 27.01.2015 received in this Ministry on 02.02.2015 and to say that your RTI application dated 26.11.2014 could not be replied on time due to transfer of the then Section Officer of the Revision Cell and posting of the new Section Officer who took the charge of the Revision Cell on 12.01.2015. We regret for the inconvenience caused due to delay in furnishing the reply of the RTI Application.

2. As regard, incomplete information, it is stated that the information furnished by the CPIO is as per the provisions prescribed u/s 2(f) of the RTI Act, 2005 and also the clarification made by the Department of Personnel & Training vide OM No. 1/18/2011-IR dated 16.09.2011 and the elaboration made by the Hon'ble Supreme Court in Civil Appeal No. 6454 of 2011-Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.

3. In the light of above, I do not find any reason to overrule the decision of the CPIO.

4. Your RTI Appeal accordingly stands disposed off.

Yours faithfully,

(S. K. Mishra)
Deputy Secretary and First Appellate Authority
Tel. No. 2338 4740

Copy for information to:-

✓ Shri Kamlesh Gauba, ACPIO, PI Cell, M/o Mines, CGO Complex, New Delhi w.r.t. U.O. No. 2/293/2014-PI dated 04.12.2014.


(S. K. Mishra)
Deputy Secretary and First Appellate Authority

सूचना का अधिकार अधिनियम

RTI Appeal

Due date - 04.03.2015

समय बद्ध/Time Bound

भारत सरकार

खान मंत्रालय

विषय - सूचना का अधिकार अधिनियम, 2005 के तहत श्री. आर. आनंदकुमार, सेलम, से प्राप्त अपील के संबंध में ।

श्री. आर. आनंदकुमार, सेलम से प्राप्त मूल अपील दिनांक 27.01.2015 को इस पत्र के साथ उचित कार्यवाही हेतु भेजा जा रहा है।

आपसे अनुरोध है कि उक्त अपील/पत्र का निस्तारण दिनांक 04.03.2015 से पूर्व किया जाए और प्रतिलिपी सूचनार्थ पी.आई. सैल को भी भेजी जाए ।


(कमलेश गाबा/Kamlesh Gauba)

सलग्न: मूल अपील/ FTS No. 41293.

ए.सी.पी.आई.ओ./ACPIO


श्री. शरत कुमार मिश्रा, उप सचिव/अपीलीय अधिकारी (आर.सी.), खान मंत्रालय,
पी. आई. सैल/PI Cell U.O. No. 2/293/2014-PI दिनांक/Dated 04.02.2015

BY SPEED POST

To:
1st Appellate Authority
Under RTI ACT 2005
Ministry Of Mines,
Room No D-308
Shastri Bhawan,
New Delhi 110 001

41293

27.01.2015

From:
R. Anand Kumaar
46/22B, Ramakrishna Road,
Salem 636 007

Dated: 27.01.2015

Dear Sir,

SUB: First Appeal under Sec 19(1) of the RTI Act 2005

I, R. Anand Kumaar, a citizen of India, would like to make a **FIRST APPEAL** under Sec 19(1) of the RTI Act 2005, as per the following details:

1. Name and Address of Appellant: R. Anand Kumaar
46/22B, Ramakrishna Road,
Salem 636 007
2. Name and Details of CPIO appealed against: The Central Public Information Officer
Ministry Of Mines,
Room No D-303
Shastri Bhawan,
New Delhi 110 001
3. Reference of the original RTI Application: Dated 26.11.2014
4. Reference of reply of CPIO appealed against:
No Reply has been received to my RTI Application dated 26.11.2014

BACKGROUND:

I had applied to the CPIO, Ministry Of Mines for certain information, under the RTI Act 2005, as per application ref: NIL dated 26.11.2014. Rs 10 D/D No 769527 Dated 26.11.2014 on Indusind Bank, payable New Delhi was enclosed as application fees. Annexure 1(Total 2 Pages)

The RTI application was sent by Speed Post Receipt Nr ET691314657IN Annexure 2 and was received on 28.11.2014. The delivery receipt from India Posts is attached. Annexure 3. The CPIO has not furnished the information.

GROUND FOR FIRST APPEAL:

As per Section 7(1) of the RTI Act 2005, the CPIO was to give the requested information within 30 days of the application i.e. on or before 28.12.2014 but he has not furnished the information up to date.

MY "PRAYER/PLEA" IN THIS FIRST APPEAL:

1. Instruct the CPIO, in writing, to give complete information as requested in my above mentioned RTI Application.
2. Inform the concerned CPIO that the appellant will move a Second Appeal before the Central Information Commission under Section 19(3) and will demand imposition of Penalty under Section 20 of the RTI Act, at the rate of Rs. 250.00 for every day of delay (subject to a maximum of Rs. 25,000.00) from the date the information was due (28.12.2014) till the date the information is actually given to me.
3. To impose penalties under Section 20(1) of the RTI Act and also order for the departmental disciplinary proceedings under section 20(2) of the Right to Information Act 2005 against The CPIO.

Thanking You,

A handwritten signature in dark ink, appearing to read 'R. Anand Kumar', is written over a large, light-colored triangular stamp or watermark.

(R. Anand Kumar)

ANNEXURE A
(SEE RULE 3)
THE RIGHT TO INFORMATION ACT 2005
BY SPEED POST

I.D.NO

To,
The Chief Public Information Officer,
Ministry Of Mines,
Room No D-303
Shastri Bhawan,
New Delhi

1. Full Name of Applicant : R.Anand Kumaar
2. Address : 46/22B,Ramakrishna Road
Salem 636 007.

That I am 'Citizen' of India and I am asking the information as 'Citizen'.. Iam enclosing the fee by way of Rs 10 Demand Draft No 769527 Dated 26.11.2014 on Indusind Bank Favouing The " Accounts Officer, Ministry Of Mines " payable at New Delhi.

This Application refers to Chapter VII Rule 54 of the Mineral Concession Rules 1960 "54. Application for revision : - (1) Any person aggrieved by any order made by the State Government or other authority in exercise of the powers conferred on it by the Act or these rules may, within three months of the date of communication of the order to him, apply to the Central Government in triplicate in Form N for revision of the order. The application should be accompanied by a Bank Draft for [five thousand rupees] on a nationalised bank in the name of 'Pay and Accounts Officer, Department of Mines' payable at New Delhi or through a treasury challan for [five thousand rupees] under the Head of Account - 0853 - Non-ferrous Mining and Metallurgical Industries -102 Mineral Concession Fees,"

3. Information Required:

Kindly inform whether Revision Application can be filed against an order passed by Controller General Of Mines, Indian Bureau Of Mines, Nagpur with the Central Government in Form N.

4. Whether information is required by Post or in Person : By Post
5. In case by Post (Ordinary, Registered or Speed Post : By Registered Post
6. Whether the Applicant is below the poverty line : NO



R.Anand Kumaar

Place: Salem
Date : 26.11.2014

Atttykd


0170

10.00

SALEM
BRANCH

Not Over $\bar{\tau}$:

ACCOUNTS OFFICER, MINISTRY OF MINES, NEW DELHI
On Demand Pay

Ten only
Rupees पाँच

Rupees ₹

Or Order

Valid for Three Months from the date of issue

[illegible]

For Value Received

10.00

For value received
For Industrial Bank Ltd.

To,
Industrial Bank Ltd
NEW DELHI

DD (0005) E BRANCH

Stamokany
"HEEMA KAMER"

Executive T.M. KARTHIK
SS. No : 3890
Authorised Signatory/Sec 2

Please sign above

0002340001: 76952711

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Attested

Handwritten:

9	8	7	6	5	4	3	2	1
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भारतीय डाक



SP-POD SALEM EXTENSION <636007>

ET691314657IN

Counter No:1,OP-Code:PA

To:THE CHIEF PUBLIC INF,SHASTRI BHAVAN

NEW DELHI. PIN:110001

From:R.ANANDKUMAR, SALEM636007

Wt:25grams,

Amt:51.00, 26/11/2014, 12:31

Taxes:Rs.6.00(EDD(If not a holiday):00:00:00)

Attested

 R. Anandkumar



INDIA POST
Ministry of Communication & Information Technology



ET691314657IN [Track More](#)

Booked at	Booked On	Destination Pincode	Tariff	Article Category	Delivered at	Delivered on
Salem Extension S.O	26/11/2014	110001	51.00	Domestic New Delhi G.P.O. (110001)		28/11/2014

Detailed Track Events For ET691314657IN

Date	Time	Status at	Status
26/11/2014	12:31:13	Salem Extension S.O	Item Booked
26/11/2014	17:07:27	Salem Extension S.O	Item bagged for NSH SALEM
26/11/2014	20:26:03	NSH SALEM	Item Received
26/11/2014	23:45:22	NSH SALEM	Item bagged for NSH NEW DELHI
27/11/2014	09:12:46	NSH CHENNAI	Bag Received
27/11/2014	13:01:56	NSH CHENNAI	Bag Despatched to NSH NEW DELHI
28/11/2014	08:31:52	PALAM TMO	Bag Received
28/11/2014	09:23:35	PALAM TMO	Bag Despatched to NSH NEW DELHI
28/11/2014	13:38:56	New Delhi G.P.O.	Item Received
28/11/2014	16:43:00	New Delhi G.P.O.	Item Delivered

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Accepted
Handwritten