

OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA PANCHKULA

Order No.KW 10/1-2012 Admn(4)

Dated, Panchkula the 02 08 22

A copy of letter No. 5/52/2016-1AR dated 15.07.2021 received from Chief Secretary to Government, Haryana regarding Disposal of First Appeals under the RTI act, 2005 is forwarded to the following for information and strict compliance :-1.

- Director Elementary Education Haryana, Panchkula.
- Additional Director Academic-cum-First Appellate Authority.
- Director SCERT Haryana, Gurgram.
- All District Education Officer's in the State.
- All District Elementary Education Officer's in the State.
- All Principal DIET's/BITE's in the State.
- All the Headquarter Officers. 7.
- Registrar Education (Secondary).
- All Branch Superintendents/Incharges (Sec.).
- 10. Superintendent Admn. (Ele.)
- 11. PS/DSE.

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- PA/Additional Director Model Sanskriti Schools.
- PA/Additional Director Admn. I & II.
- PA/ Additional Director Academic.
- 15. All Assistants Admn. Branch (Sec.)

IT Cell (HQ) for website.

SUPERINTENDENT ADMN for DIRECTOR SECONDARY EDUCATION

HARYANA PANCHKULA

286 Admin(40V+)

5/52/2016-1AR Government of Haryana Administrative Reforms Department

Dated Chand garh the, 15th July, 2021

To

16-2-2021

- All the Administrative Secretaries to Govt., Haryana
- 2. All the Head of Departments in Haryana.

Subject: Disposal of First Appeals under the RTI Act, 2005.

Sir/Madam,

1 am directed to address you on the subject cited above and to inform [S.R.]

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2 out that State Information Commission, Haryana has noticed that, in many cases following deficiencies has been noticed while deciding appeals/complaints:-

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Admir. (i)

- The first Appellate Authorities under the Right to Information Act do not dispose of the appeals within the time frame prescribed by Act;
- (ii) The Appellate Authorities do not examine the appeals judiciously and express their agreement with the decision of the State Public Information Officer mechanically;
- (iii) The State Public Information Officers do not comply with the directions of the first Appellate Authority to furnish information to the appellant.
- (iv) Adequate notice is not given for the appellant to present during hearing;
 - At times, notice of hearing is received on the date of hearing or after the date of hearings;

The hearings are adjourned due to non-availability of First Appellate
Authorities on the day and time fixed for hearing;

- (vii) Some time office Superintendents of Personal staff hears appeals in the absence of the designated First Appellate Authority.
- Section 19(1) of the RTI Act, 2005 provides that, any person who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public

Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

Section 19(6) of the RTI Act, 2005 provides that the First Appellate 3. Authority should dispose of the appeal within thirty days of the receipt of the appeal. In exceptional cases, the appellate authority may take forty five days to dispose of the appeal subject to the condition that he shall record in writing the reason for delay in deciding the appeal. Therefore, each First Appellate Authority should ensure that an appeal received by him is disposed off within 30 days of the receipt of the appeal.

You are therefore requested to bring in the notice of all concerned/First Appellate Authority under your control that, they may adhere/strictly comply and dispose off the appeals under the provisions of Section 19(1) and 19(6) of RTI Act, 2005, so that the information seeker may not resort to filing of second appeals before the Commission.

Yours faithfully

Santoth

(Santosh Kumari) Under Secretary, Administrative Reforms for Chief Secretary to Government, Haryana Rax 2740001, 2740226, Ext. 5555 email address: admnreformshry@gmail.com

Endst. No. 5/52/2016-1AR

A copy is forwarded to the Secretary, State Information Commission, SCO No. 70-71, Sector 8C, Chandigarh w.r.t. his letter no. 7085/SCIC/2021/EA-1 dated 25.05.2021 for information.

(Santosh Kumari)

Under Secretary, Administrative Reforms for Chief Secretary to Government, Haryana Rax 2740001, 2740226, Ext. 5555 email address: admnreformshry@gmail.com