

No. RTI/GoI/DEA/2016/1

Date: 14/11/2016

From,
Venkatesh Nayak
#55A, 3rd Floor
Siddharth Chambers-1
Kalu Sarai
New Delhi- 110 016

To,
The Central Public Information Officer &
Under Secretary (Currency I & II)
Department of Economic Affairs
Ministry of Finance
Government of India
Room No. 259-A, North Block
New Delhi – 110 001

भारतीय डाक
To be detached and kept
by the Sender.
पोस्टल आर्डर
₹ 10
POSTAL ORDER
भारत अर्थात्
To whom payable
DEA/MAF/16/1
भारत अर्थात्
At what Office
Whether crossed
Date sent
38F | 012815

Dear madam,

Sub: Submission of request for information under *The Right to Information Act, 2005*

Apropos of S.O. No. 3407(E) notified in the Gazette of India, dated 08 November, 2016, regarding the decision to cease bank notes of denomination 500 and 1000 Rupees as legal tender, I would like to obtain the following information from your public authority, under the RTI Act:

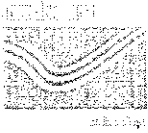
- 1) A clear photocopy of the entire Cabinet Note along with Annexures, if any, on the aforementioned subject, that was put up to the Union Cabinet for its decision;
- 2) A clear photocopy of all correspondence and file notings held in hard copy and electronic form containing the deliberations of Ministers and officers involved in the decision-making process on the aforementioned subject matter;
- 3) A clear photocopy of any document constituting evidence that the aforementioned subject matter was placed in the public domain for comments from the general public prior to the submission of the Cabinet Note specified at para #1 above for its consideration and action; and
- 4) A clear photocopy of all submissions/petitions/representations or communication, by whatever name called, from any person/organisation/institution or entity, by whatever name called, regarding the aforementioned subject matter, since 24 May 2014 till date.

I am a citizen of India. I have enclosed an IPO (bearing #38F 012815) for Rs. 10/- towards payment of the prescribed application fee. I would like to receive the information specified above at my address mentioned above by post. Kindly inform me of the additional fee payable for obtaining the information specified above.

Thanking you,
Yours sincerely,

S. S. Venkatesh Nayak
Venkatesh Nayak 14/11/16

भारतीय डाक
India Post
SP 18417 KHAS <10016>
FD191040825 IN
Counter No:1, OP Code:KY1
To:THE CPIO,
New, PIN:110001
From:VENKATESH, ND
Wt:20grams,
Amt:₹7.00, 15/11/2016, 12:38
Tax:₹2.00<<Track on www.indiapost.gov.in>>



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Quick help

* Indicates a required field.

* Consignment Number: **ED191048825IN** [Track More](#)

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivered At	Delivered On
Hauz Khas S.O	15/11/2016	110001	17.00	SPA	New Delhi G.P.O.	16/11/2016

Event Details For : ED191048825IN Current Status : Item delivered at New Delhi G.P.O.

Date	Time	Office	Event
16/11/2016	15:24:00	New Delhi G.P.O.	Item delivered
16/11/2016	11:38:35	Hauz Khas S.O	Bag Despatched to NSH NEW DELHI
16/11/2016	08:26:38	New Delhi G.P.O.	Item Received
16/11/2016	08:26:37	New Delhi G.P.O.	Bag Opened
16/11/2016	08:04:49	New Delhi G.P.O.	Bag Received
16/11/2016	06:04:58	NSH NEW DELHI	Bag Despatched to New Delhi G.P.O.
15/11/2016	23:46:47	NSH NEW DELHI	Item Bagged for New Delhi G.P.O.
15/11/2016	23:45:47	NSH NEW DELHI	Item Received
15/11/2016	20:52:54	NSH NEW DELHI	Bag Received
15/11/2016	16:35:40	Hauz Khas S.O	Item Bagged for NSH NEW DELHI
15/11/2016	12:30:03	Hauz Khas S.O	Item Booked

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Before the Designated First Appellate Authority

Department of Economic Affairs

Ministry of Finance, Government of India

Room No. 167, North Block, New Delhi- 110 001

Appeal submitted under Section 19(1) of the Right to Information Act, 2005

In the matter of

Venkatesh Nayak

VS

CPIO, Department of Economic Affairs

Date of submission: 24/12/2016

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S. S. Venkatesh Nayak

Before the Designated First Appellate Authority

Department of Economic Affairs

Ministry of Finance, Government of India

Room No. 167, North Block, New Delhi- 110 001

Appeal submitted under Section 19(1) of the Right to Information Act, 2005

Date: 24/12/2016

- 1) Name and address of the appellant :** Venkatesh Nayak
#55A, 3rd Floor
Siddharth Chambers-1
Kalu Sarai
New Delhi- 110 016
- 2) Name and address of the Central Public Information Officer (CPIO) to whom the RTI application was sent :** The Central Public Information Officer &
Under Secretary (Currency I & II)
Department of Economic Affairs
Ministry of Finance
Government of India
Room No. 259-A, North Block
New Delhi- 110 001
- 3) Name and address of the Officer who gave the reply to the Application :** NIL
- 4) Particulars of the RTI application-**
- a) No. and date of submission of the RTI application :** No. RTI/GoI/DEA/2016/1 dated
14/11/2016
- b) Date of payment of additional fee (if any) :** Not applicable.
- 5) Particulars of the order(s) including number, if any against which the appeal is preferred :** No reply till date
- 6) Brief facts leading to the appeal :**
- 6.1)** On 14/11/2016 this Appellant despatched by Speed Post a request for information to the CPIO mentioned at para #2 above along with the prescribed application fee, stating as follows (**Annexe 1**):

S. S. Venkatesh Nayak

"Apropos of S.O. No. 3407(E) notified in the Gazette of India, dated 08 November, 2016, regarding the decision to cease bank notes of denomination 500 and 1000 Rupees as legal tender, I would like to obtain the following information from your public authority, under the RTI Act:

- 1) A clear photocopy of the entire Cabinet Note along with Annexures, if any, on the aforementioned subject, that was put up to the Union Cabinet for its decision;
- 2) A clear photocopy of all correspondence and file notings held in hard copy and electronic form containing the deliberations of Ministers and officers involved in the decision-making process on the aforementioned subject matter;
- 3) A clear photocopy of any document constituting evidence that the aforementioned subject matter was placed in the public domain for comments from the general public prior to the submission of the Cabinet Note specified at para #1 above for its consideration and action; and
- 4) A clear photocopy of all submissions/petitions/representations or communication, by whatever name called, from any person/organisation/institution or entity, by whatever name called, regarding the aforementioned subject matter, since 24 May 2014 till date."

6.3) This Appellant has not received any substantial reply from the CPIO of the Respondent Public Authority till date.

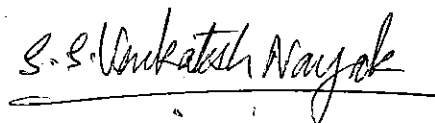
7) Prayers or relief sought :

This Appellant prays that this First Appellate Authority be pleased to:

- 1) admit this appeal and inquire into the matters raised herein; and**
- 2) direct the concerned CPIO to disclose all information specified in the instant RTI application free of charge as is this Appellant's right under Section 7(6) of the RTI Act.**

8) Grounds for the prayer or relief :

8.1) According to Section 19(1) of the RTI Act an RTI applicant who is aggrieved by the fact that no decision has been received in relation to his or her RTI application, may prefer an appeal to the officer senior in rank to the CPIO within 30 days of the date on which such decision ought to have been made. As evidenced by the information furnished at **Annexe 3**, the instant RTI application was delivered to the Respondent Public Authority on 16/11/2016. The concerned CPIO ought to have replied to the RTI application within 30 days



that date. The deadline of 30 days lapsed on 16/12/2016. This first appeal is being submitted on the seventh day after the lapse of the statutory deadline for reply which ^{is} well within the time limit stipulated in Section 19(1) of the RTI Act. This Appellant is aggrieved by the inaction of the CPIO for the following reasons:

8.1.1) According to Section 7(1) of the RTI Act, upon receiving an RTI application and finding that his or her public authority holds the information sought, in material form, a CPIO has only two courses of action open to him/her. Such CPIO is required to either furnish the requested information on payment of the additional fee at the rates prescribed in the RTI Rules, 2012 or reject the request for any of the reasons specified in Sections 8 or 9 of the RTI Act. The CPIO of the Respondent Public Authority has chosen neither course of action till date. This Appellant is aggrieved by the inaction of the said CPIO. **Hence the submission of this first appeal to this Hon'ble Appellate Authority.**

8.1.2) Further, according to Section 7(2) of the RTI Act, where a CPIO fails to give a decision on the information request within the period of 30 days specified in Section 7(1) of the RTI Act, it shall be deemed that the request for information has been rejected. As more than 30 days have lapsed since the receipt of the instant RTI application by the Respondent Public Authority, it is to be deemed that the instant RTI application has been rejected. As Section 19(1) of the RTI Act also permits a citizen aggrieved by a decision of the CPIO to prefer an appeal against such decision, to an officer senior in rank to such CPIO, this ground is also satisfied in the instant case. **Hence the submission of this first appeal to this Hon'ble Appellate Authority.**

8.1.3) Further, according to Section 7(6) of the RTI Act, where a CPIO fails to supply the information sought within the period of 30 days stipulated in Section 7(1) of the RTI Act, the applicant has a right to obtain the information free of charge. It has already been shown conclusively above, that the CPIO has not bothered to send any reply to the instant RTI application despite the lapse of more than 30 days since the date of its delivery to the Respondent Public Authority. This Appellant therefore has a right to receive all the information specified in the instant RTI application free of charge, under Section 7(6) of the RTI Act. **Hence the submission of this first appeal to this Hon'ble Appellate Authority.**

9) I hereby verify that the aforementioned facts are true to the best of my knowledge. I also declare that I have authenticated the Annexes to this appeal.

Signature of the Appellant:

S. S. Venkatesh Nayak

(Venkatesh Nayak)

24/11/2016