

P. Cell DHE...	140851
21 OCT 2024	
RTI	
Branch	

No. Per (AR)F (10) 1/2022  
Government of Himachal Pradesh  
Department of Personnel  
Administrative Reforms

From

The Secretary (AR) to the  
Government of Himachal Pradesh.

To

23 OCT 2024

1. All Administrative Secretaries to the Government of Himachal Pradesh
2. The Resident Commissioner,  
HP Himachal Bhawan Sikandra Road New Delhi
3. All Head of Department's in Himachal Pradesh.
4. All the Divisional Commissioners in H.P.
5. All the Deputy Commissioners in H.P.
6. The Secretary to Governor, Himachal Pradesh Raj Bhawan, Shimla-2.
7. The Secretary, Himachal Pradesh Vidhan Sabha Shimla-4.
8. The Secretary to Lokayukta, H.P. Shimla-2.
9. The Registrar General, H.P. High Court, Shimla-171001.
10. The Managing Directors/Chief Executive Officers/Secretaries/ Registrars of all the Boards/Commissions/Corporations/ Autonomous Bodies/PSUs Govt. Universities etc.

Dated: Shimla-2, the

15<sup>th</sup> October, 2024

Subject:-

**Regarding directions to First Appellate Authorities.**

Madam/Sir,

I am directed to refer to the subject cited above and to say that Section 19 (1) of the Right to Information Act, 2005 provides that any person who, does not receive a decision within the specific time period or is aggrieved by the decision of the Public Information Officer, as the case may be, prefer an appeal before the First Appellate Authority. In this regard, the Section 19(6) of RTI Act, 2005 provides *that 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.*

In view of the above, it has also come to the notice that a large number of First Appellate Authorities are not deciding the First Appeals due to the reason that the appellant did not appear before the First Appellate Authority on the date of hearing, as a result the appellants are forced to file second appeals before the Commission. Whereas as per notification No. Per (AR)F(7)-1/2008 dated 31<sup>st</sup> July, 2012 Sub-Rule (5) of Rule 6 of the Himachal Pradesh Right to Information Rules, 2006 stands amended and substituted as under:-

Super RTI  
B. U. R.  
G. T. M.

“6(5) On the date of hearing or on any other day to which the hearing may be adjourned, the parties shall put their appearance before the Appellate Authority/Commission. If the appellant fails to appear on such date, the Appellate Authority/Commission shall decide the matter on merits”.

In order to speedy dispose of the 1<sup>st</sup> Appeal, you are, requested to direct the First Appellate Authorities of your Departments/Organisations to strictly comply with the clause 6(5) of the Notification ibid under Himachal Pradesh Right to Information Rules, 2006 while deciding the First Appeals.

Yours faithfully

(Shiv Mohan Singh Saini)  
Joint Secretary (AR) to the  
Government of Himachal Pradesh  
Phone No. 0177-2628480/2880400

Endst. No. As above Dated Shimla-2 the

September, 2024

A copy is forwarded to Secretary, State Information Commission, Keonthal Complex Khallini Shimla-2 with reference to letter No. SIC-47/2023-3262 dated 11-09-2024 for information please.

23 OCT 2024

Joint Secretary (AR) to the  
Government of Himachal Pradesh

Endst. No.: EDN-HE(16)B(15)RTI-01/2022-AR, dated, Shimla-01, the 23<sup>rd</sup> Oct., 2024

Copy to:

1. The Secretary (Education) to the Govt. of HP for information, please.
2. The Secretary (AR) to the Govt. of HP w.r.t. letter No. as referred above for information, please.
3. The F.A.A.-cum- Addl. Director Higher Education (Admn.), Directorate of Higher Education, HP, Shimla-1 for information.
4. All the First Appellate Authorities-cum-Deputy Directors of Higher Education in H.P. for strict compliance.
5. All Branch Supdts. (Internal), Directorate of Higher Education, HP for compliance.
6. The Supdt., IT Cell, Directorate of Higher Education, Himachal Pradesh, Shimla with the direction to upload the said letter on the official website.

Director of Higher Education  
Himachal Pradesh, Shimla-1.