

प्रेषक

अतिरिक्त मुख्य सचिव, हरियाणा सरकार,  
गृह विभाग ।

सेवा में,

महानिदेशक,  
शहरी निकाय, हरियाणा,  
चण्डीगढ़

क्रमांक 10/64/2016-2एच.जी.-4  
दिनांक 08-05-2018

विषय:- हरियाणा विवाह अनिवार्य पंजीकरण अधिनियम, 2008 के कियान्वयन हेतु ।

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उपरोक्त विषय के संदर्भ में ।

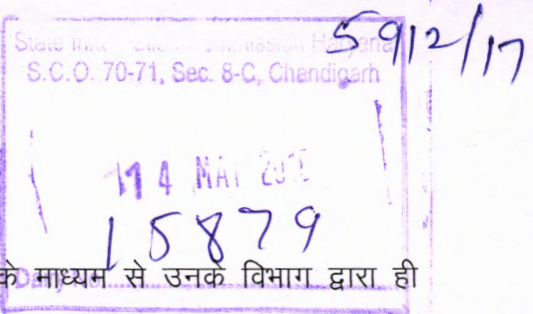
2. आपको सूचित किया जाता है कि श्री अश्विनी अग्रवाल, निवासी कालका, जिला पंचकूला द्वारा सूचना के अधिकार अधिनियम, 2005 के अन्तर्गत यह कहते हुए अपील संख्या 5912/2017 सूचना के अधिकार अधिनियम, 2005 के सेक्शन 19(3) के अन्तर्गत राज्य सूचना आयोग में दायर कर दी गई कि उसे वांछित सूचना नहीं दी गई और उसे व उस जैसे अन्य लोगों को विवाह पंजीकरण हेतु अधिकारियों द्वारा बिना वजह के परेशान किया जा रहा है ।
3. इस अपील पर मुख्य सूचना आयुक्त की बैंच द्वारा दिनांक 01-03-2018 को सुनवाई की गई । सुनवाई के दौरान प्रार्थी श्री अश्विनी अग्रवाल ने बताया कि केन्द्र सरकार द्वारा विज्ञापनों के माध्यम से सूचित किया जाता है कि अब व्यक्तियों को किसी कार्य के लिए प्रस्तुत किए जाने वाले दस्तावेज स्वतः द्वारा सत्यापित किए हुए मान्य माने जाएंगे जबकि हरियाणा सरकार के कार्यालयों द्वारा विवाह पंजीकरण हेतु जिन दस्तावेजों को प्रस्तुत किया जाता है उन्हें नोटरी से सत्यापित करवाया जाता है जिससे बिना वजह परेशानी व अतिरिक्त रूपये खर्च करने पड़ते हैं ।
4. इस सम्बन्ध में हरियाणा सरकार, गृह विभाग द्वारा जारी आदेश दिनांक 01-12-2016 की प्रति मुख्य सूचना आयुक्त को प्रस्तुत की गई थी जिसके अवलोकन उपरान्त माननीय मुख्य सूचना आयुक्त द्वारा यह आदेश दिए गए कि इन आदेशों के अनुलग्नक-1 के बिन्दु 9 में जिन दस्तावेजों की आवश्यकता है, उसमें यह वर्णन नहीं किया गया है कि ये दस्तावेज नोटरी से सत्यापित होने चाहिए, फिर विवाह पंजीकरण अधिकारी ऐसे दस्तावेजों की मांग क्यों करते हैं? जब उन्हें बताया गया कि विवाह

CRW 5912/17

Ashwani Aggarwal

10.6.18

no-5669



पंजीकरण का कार्य शहरी निकाय, हरियाणा द्वारा create पोर्टल के माध्यम से उनके विभाग द्वारा ही क्रियान्वयन किया जा रहा है तो उन्होंने यह भी आदेश दिए कि इस सम्बन्ध में सम्बन्धित विभाग को निर्देश जारी किए जाए कि गृह विभाग द्वारा जारी आदेशों की अक्षरशः पालना की जाए । इसके अतिरिक्त मुख्य सचिव, हरियाणा सरकार द्वारा जारी हिदायत क्रमांक 62/09/2010-6जी.एस.-1, दिनांक 22-08-2016 को भी मध्यनजर रखते हुए अपने स्तर पर किसी अन्य दस्तावेज/दस्तावेजों को नोटरी से सत्यापित करवाने की शर्त न थोपी जाए ।

5. अतः आपसे अनुरोध है कि आपके अधीन कार्यरत विवाह पंजीकरण अधिकारियों को निर्देश जारी किए जाए कि विवाह पंजीकरण हेतु हरियाणा सरकार, गृह विभाग द्वारा जारी दिनांक 01-12-2016 के आदेशों में वर्णित दस्तावेजों से अतिरिक्त किसी ऐसे अन्य दस्तावेज की अपने स्तर पर मांग न की जाए जिससे कि लोगों को सुविधा के स्थान पर असुविधा का सामना करना पड़े । इसके लिए विवाह पंजीकरण हेतु उपलब्ध वर्तमान पोर्टल में यदि आवश्यकता हो तो उसे तदानुसार परिवर्तन कर लिया जाए ताकि माननीय मुख्य सूचना आयुक्त, हरियाणा के आदेशों की पालना की जा सके ।

हस्ताक्षर

अधीक्षक, गृह-4,

कृते: अतिरिक्त मुख्य सचिव, हरियाणा सरकार,  
गृह विभाग ।

पृष्ठाकन क्रमांक 10/64/2016-2एच.जी.-4 दिनांक 08-05-2018

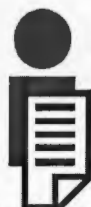
इसकी एक प्रति निम्नलिखित को सूचनार्थ प्रेषित की जाती है :-

1. माननीय राज्य सूचना आयोग, हरियाणा को उनके पत्र संख्या 5669/SCIC/2018/3-1A, दिनांक 06-04-2018 के संदर्भ में ।
2. श्री अश्विनी अग्रवाल, निवासी एच.आई.जी.-112, हाउसिंग बोर्ड कालोनी, कालका, जिला पंचकूला (हरियाणा) ।

Mishra

अधीक्षक, गृह-4,

कृते: अतिरिक्त मुख्य सचिव, हरियाणा सरकार,  
गृह विभाग ।



RIGHT TO  
INFORMATION

**STATE INFORMATION COMMISSION, HARYANA**  
**SCO NO. 70-71, SECTOR 8-C, CHANDIGARH**  
**APPEAL CASE NO. 5912 OF 2017**  
**RIGHT TO INFORMATION ACT-UNDER SECTION 19**

Relevant facts emerging from the appeal

Name of the appellant	Shri Ashwani Aggarwal, r/o House No.HIG-112, Housing Board Colony, Kalka, District Panchkula (Haryana).
Name of the Respondents	1. State Public Information Officer (SPIO)-Superintendent, Home-IV Branch, o/o Addl. Chief Secretary to Government, Haryana, Home Department, Haryana Civil Secretariat, Sector-1, Chandigarh. 2. First Appellate Authority (FAA)-cum-Under Secretary Home, o/o Addl. Chief Secretary to Government, Haryana, Home Department, Haryana Civil Secretariat, Sector-1, Chandigarh
RTI-application filed on	16.08.2016 (Transferred on 29.08.2016)
Respondent-SPIO replied on	01.09.2016, 02.11.2016
RTI-appeal filed with First Appellate Authority (FAA) on	17.04.2017
FAA decided the appeal on	29.05.2017
2 <sup>nd</sup> appeal filed with the Commission	27.06.2017
Date of hearing	01.06.2018 at 11.00 A.M.
State Chief Information Commissioner	<b>Shri Yash Pal Singal</b>
Present:	1. None on behalf of the appellant. 2. Shri Virender Kumar, SPIO-cum-Suptd. Home-IV Branch, o/o ACS Home.

This matter came up for hearing before the Commission on the ground that irrelevant information has been furnished by respondent SPIO.

2. Neither the appellant or his representative is present during hearing nor has sought adjournment of the case. Since the respondent SPIO is present, the case is taken up for consideration on the basis of the grounds and the contents of the appeal. The appellant has stated that he had addressed his RTI application dated 16.08.2016 seeking two point information. The sought information included whether the documents such



as affidavits, statements (halfia bians by bride, bridegroom, father of bride, father of bridegrooms and other documents required for registration of marriage in Haryana, are to be self attested or these are to be got attested from Notary and which documents are accepted by all departments of Haryana those are self attested and in case any of the department do not accept such self attested documents what a common man should do. The SPIO, office of the Chief Secretary, transferred the RTI application under Section 6(3) of the RTI Act to the SPIO-cum-Superintendent, Home Branch for furnishing the sought information. The SPIO-cum-Superintendent Home-IV Branch, office of the Additional Chief Secretary to Government, Haryana, Home Department furnished a copies of Notification dated 18.07.2008 for Marriage Registration and Notification dated 28.04.2014 for Anand Marriage Act. The respondent SPIO failed to furnish the information as per RTI application rather has furnished irrelevant information despite filing of appeal with the FAA. He has prayed for the Commission's directions to the respondent SPIO to furnish the sought information to the appellant, free of cost. He further prayed to initiate penal action under Section 20(1) of the RTI Act against the respondent SPIO for non-furnishing of information to the appellant.

3. The SPIO-cum-Superintendent Home-IV Branch, office of the Addl. Chief Secretary Home present submitted that the appellant's RTI application was received through the SPIO-cum-Superintendent (RTI Cell), Administrative Reforms Department vide his letter dated 29.08.2016 and copies of two Notifications dated 18.07.2008 and 28.04.2014 were furnished to the appellant vide letter dated 01.09.2016 within stipulated



time period. Copy of the Haryana Compulsory Registration of Marriages Act, 2008 was furnished to the appellant vide letter dated 02.11.2016 and the appellant was informed that Municipal Corporation, Panchkula registers the marriages in areas of Municipal Corporation as per the Act. The respondent SPIO further submitted during hearing that in view of the Commission's interim directions dated 01.03.2018, the Director General, Urban Local Bodies, Haryana has been requested vide letter No.10/64/2016-2HG-4 dated 08.05.2018 to direct his concerned officers of the subordinate offices in the field to comply with the Home Department directions dated 01.12.2016 and may not demand any such document at the time of registration of marriages which create inconvenience to the people. In case any change is required in the present portal that may be made. He prayed that the case may be filed.

4. The Commission remanded the first appeal to the FAA-cum-Under Secretary, office of the Additional Chief Secretary to Government, Haryana, Home Department, vide order dated 17.04.2017 for adjudication after condoning the delay. The respondent SPIO responded to the appellant on behalf of the FAA that information has already been furnished and is also available on the website <http://csharyana.gov>. Copies of the furnished Notifications were refurnished with the request to contact or can invite the attention of the concerned authority in respect of the instructions regarding requirement of attested copies or affidavit in various application forms for self certification of documents.

5. The Commission carefully heard the averments of the respondent SPIO and perused the record on the case file alongwith the



grounds and the contents of the appeal. Information sought by the appellant and furnished by the respondents was examined in detail during hearing. The Commission noted the submissions of the respondent SPIO. The Commission, prima facie, observes the respondent public authority has issued necessary instructions to the Director General, Urban Local Bodies, Haryana vide letter No.10/64/2016-2HG-4 dated 08.05.2018 wherein he has been requested to direct his concerned officers of the subordinate offices in the field to comply with the Home Department directions dated 01.12.2016 and may not demand any such document at the time of registration of marriages which create inconvenience to the people. In case any change is required in the present portal that may be made. The appellant's letter dated 02.06.2018 received through e-mail intimating that the respondent SPIO has issued necessary instructions and he has also received the said instructions contained in two pages. He has requested to dispose of the case accordingly.

7. In view of the above findings, the appeal is disposed of by closing the matter.

Announced. To be communicated.

**(Yash Pal Singal)**

**State Chief Information Commissioner,  
Haryana.**

**Place : Chandigarh.  
Dated : 01.06.2018.**