UTS-1 Desk/MHA
Dy. No. 103-RTI
Date 10/7/13

Dy No. 2242/RTI/2013/RTI
8/7/2013

Application under Right to Information Act-2005

To,
Mr. Sobodh Kumar Jain,
Director (Services) & CPIO
Ministry of Home Affairs,
R.No.116, North Block,
New Delhi-110001

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1. Name of the Applicant: M.G.Devasahayam
2. Gender: Male/Female: Male
3. Father's* /Mother's full name: D. Maria Gnanaprahasam
4. Address for correspondence:
   103, Ceebros Bayview,
   4th Seaward Road, Valmiki Nagar,
   Tiruvanmiyur, Chennai-600041
5. Telephone/Mobile No. 09940174446
6. E-mail ID (if, any): deva1940@gmail.com

Fee 2-13
501/53-I
Sl. Tosli
09/07/13

7. Particulars of the information sought:

Vide Order No: 14036/14/2012 UTS-1 (Part III) dated 28th May 2013, Ministry of Home Affairs 'rejected as being devoid of any merit' the representation filed by me and some others against Delhi Police Commissioner making several allegations which are listed in the 'Order' referred to.

Through this RTI application I would request you to provide me the following information:

✓ A. Competent authority's duly attested clean copy of the entire file with all relevant records / documents / reports including noting portion evidencing:

i. the process adopted to conduct the enquiry into the allegations listed in the 'Order',
ii. explanation asked for from the officer against whom allegations have been made,
iii. documents perused,
iv. witnesses examined,
v. opportunity given to the complainants/those who sent the representation to produce records and make statements proving the allegations,
vi. opinions taken from Central Vigilance Commission/Department of Personnel before determining that allegations were 'devoid of any merit'
vii. reference to or consultation with Government of Delhi/Lieutenant Governor
viii. advise received from law officers before rejecting the allegations as 'being devoid of any merit'
ix. orders obtained from competent authority rejecting the representation and the allegations listed in the 'Order' as being 'devoid of merit'

B. Names and designation of concerned persons who 'examined' the veracity of the contents of the representation and the allegations listed in the Order and came to the conclusion that these were 'devoid of any merit'

C. The method adopted to ascertain the truth in the key allegation that Mr. Neeraj Kumar has close links with Mr. Abishek Verma including perusal of relevant documents.

D. The Representation referred to in the 'Order' had *inter alia* sought a comprehensive Inquiry into all the allegations and issues contained in the Memorandum to the President that was annexed along with documents as well as various complaints and representations pertaining to Mr. Neeraj Kumar sent by other sources to Prime Minister, Home Minister, Principal Secretary to Prime Minister and other concerned authorities. In the event of such enquiry permission was requested to present documents and other proof/evidence to establish the various allegations contained in the Memorandum. The reason for not complying with this request and the authority that took the decision to ignore the request may be provided.

E. The 'Order' repeatedly states that 'evidence is not available' or 'allegations are not proved'. When no inquiry whatsoever was held please clarify as to wherefrom and how evidence would be made available and allegations proved?

F. The 'Order' says there has been no lawlessness in Delhi during Neeraj Kumar's period. On what basis and on whose report this averment has been made, particularly in the context of Supreme Court itself reprimanding the Delhi Police.

G. 'Order' says that it has the approval of the competent authority in the MHA. The competent authority in these cases is the Union Home Minister himself. It was common knowledge that he has been out of the country from 19 May and returned only on 29 May. How could he then have given 'approval' to this order dated 28-05-2013 obviously drafted and typed out in haste in the last couple of days after Home Minister left the country. What is the truth and who is responsible for this?

8. Whether inspection of records also sought: **Yes**

9. Mode of payment of application fee of Rs.10/- and details: Postal Order: 72E974766 dated 04/07/13 drawn on "Accounts Officer, Ministry of Home Affairs".

Declaration of the Applicant

I am a bonafide citizen of India and owe allegiance to the sovereignty, unity and integrity of India and have not voluntarily acquired the citizenship of another country.

Place: Chennai
Date: 03 July 2013

(Signature of the applicant)

F. No. 14039/48/2013-UTS.I
Government of India
Ministry of Home Affairs
(UTS-I Desk)

North Block, New Delhi-110001
Dated the 06th August, 2013

To

Sh. M G Devasahayam,
103, Ceebros Bayview,
4th Seaward Road, Valmiki Nagar,
Tiruvanmiyur, Chennai-600041

Sub: Application under RTI Act, 2005-Regarding

Sir,

With reference to your application dated 03.07.2013, it is informed that reply to queries are not covered under RTI Act 2005. However copies of speaking order may be provided to the applicant after receiving the requisite RTI fee of Rs 8.00(4 pages @Rs 2.00/page) in favour of Pay & Account Officer, MHA

2 The designated 1st Appellate Authority against this decision is as follows

Shri K. K. Pathak
Joint Secretary (UT)
Ministry of Home Affairs
North Block, New Delhi-110001

Yours faithfully,

जारी किया/ISSUED
हस्ता/Sig.
दिनांक/Date 6/8/13

(S. K. Jain)
Director (S) and CPIO