

24

RTI Matter

No.17015/87/2013-IS.I
Government of India
Ministry of Home Affairs
(IS-I Division)

North Block, New Delhi-110001,
dated the 04.02.2014.

plea
issue
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To,

Sh. Sonu Singh,
Sahijana Road, Near Sahijana Mill,
Post-Disttt, Gadwa, Jharkhand-822 14

Subject : Application seeking information under the Right to Information Act, 2005.

Sir,

I am to refer to your application dated 29.11.2011 addressed to CPIO, Ministry of Home Affairs, North Block, New Delhi-1 which has been transferred by Director & CPIO, CS Division of this Ministry vide their O.M. No.IV/16015/17/2011-CSR-II dated 28.01.2014 alongwith CIC's order dated 10.01.2014 to all CPIOs including the undersigned CPIO (received on 30.01.2014) seeking various information under the Right to Information Act, 2005.

2. In this regard, point wise reply is given as under:

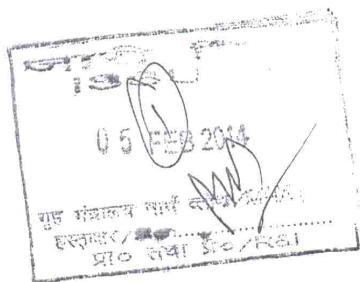
Point No.1 to 3: Since the subject matter does not pertains to the undersigned CPIO, hence the information may be treated as 'Nil'.

3. Under Section 19(1) of the Right to Information Act, 2005, an appeal can be filed within 30 days from the date of receipt of the reply, before the first Appellate Authority, whose particulars are given below :

Shri Rakesh Singh, Joint Secretary (IS-I), Ministry of Home Affairs,
North Block, New Delhi-110 001.

Yours sincerely,

(Rajesh Kumar Gupta)
Director (IS-III & CPIO)



30/11/2014

203

MOST IMMEDIATE
RTI MATTER

No.IV/16015/17/2011-CSR-II.
Government of India
Ministry of Home Affairs
(CS Division)

5th Floor, NDCC-II, Building,
Jai Singh Road, New Delhi.
Dated : 28/01/2014.

OFFICE MEMORANDUM

Subject: Information sought under Right to information Act, 2005-
regarding

Enclosed please find herewith a RTI application dated 29/11/2011(received by answering CPIO on 13/12/2011 through Under Secretary (RTI) Ministry of Home Affairs vide their letter no. A.43020/01/2011-RTI dated 9/12/2011) from Shri Sonu Singh, Sahijana Road, Near Sahijana Mill, Jharkhand.

2. The information sought by the applicant is not available with the signing CPIO and the same was conveyed to the appellant on 16/12/2012. The Appellant then approached the Central Information Commission on 11/1/2013 in a second appeal and CIC has directed Ministry of Home Affairs to provide the information to the appellant on the points mentioned in the RTI application within thirty days of the CIC's order dated 10/01/2014 (which was received by the CPIO on 24/01/2014). A copy of the CIC's order is enclosed herewith.

3. The points on which information required by the Appellant is given below:-

- (i) Copies of instructions/orders issued by the Competent Authorities under RTI Act.
- (ii) Number of RTI activists killed in India since the application/implementation of the RTI Act, 2005.
- (iii) Instruction/orders issued by the Govt. of India (MHA) for safety and security of RTI activists/persons.

..... 2/-

W.S. (S.D.)
P.I. P/O.
30/11/14

30/11/14

4. All the CPIOs, in the Ministry of Home Affairs, are requested to provide the information available to the Appellant within the time prescribed by CIC.

Encl: As above.

(K. Muralidharan)
Director & CPIO.

To,

All CPIO's in Ministry of Home Affairs as per list attached.

Copy for information to:

- (i) Shri Sonu Singh, Sahijana Road, Near Sahijana Mill, Post- Distt. Gadwa, Jharkhand- 822114.
- (ii) Central information Commission Club Building, OLD JNU Campus, New Delhi w.r.t Decision No CIC/SS/A/2013/000509/VS/05777 Appeal No.CIC/SS/A/2013/000509/VS. dated 10-1-2014.

(K. Muralidharan)
Director & CPIO

CR-2284976

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CENTRAL INFORMATION COMMISSION
CLUB BUILDING (NEAR POST OFFICE)
OLD JNU CAMPUS, NEW DELHI-110 067
TEL: 011-26179548

Dr (CS-I)

Decision No.CIC/SS/A/2013/000509/VS/05777
Appeal No.CIC/SS/A/2013/000509/VS

Dated: 10-1-2014

Appellant:

Shri Sonu Singh
Vill. Sahijna Road, Near Sahijna Mill
PO & Distt. Garhwa, Jharkhand-822114.

Respondent:

Public Information Officer,
Ministry of Home Affairs
Dy.Secy (CSR-II), North Block
New Delhi-110001.

Date of Hearing:

26-12-2013.

ORDER

Facts:

1. The appellant filed an RTI application on 29-11-2011 requesting for copies of instructions/orders issued by the competent authorities under the RTI Act, that pertained to the RTI activists and instructions/orders issued for their safety.
2. The CPIO responded on 16-12-2011, informing the appellant that the answering CPIO has no in-puts to furnish on the issues raised by the appellant. The appellant filed an appeal with the first appellate authority (FAA) on 4-4-2012. The FAA responded on 2-5-2012 and directed the Under Secretary(RTI), MHA and DOPT to furnish the information to the appellant. The appellant approached the Commission on 11-1-2013 in a second appeal.

Hearing:

3. I heard the appellant through video-conferencing. The respondent was present personally in the hearing.
4. The appellant referred to his RTI application of 29-11-2011 and stated that he had sought information on three points. The appellant



8
24/11

WCM

stated that he wanted a copy of the laws which the GOI had passed about RTI implementation along with the various rules. Secondly, he wanted to get the particulars of the persons who had been casualties as a result of the implementation of the RTI Act and thirdly the steps taken by the Central Government for the protection of those involved in the implementation of the RTI Act. The appellant stated that the response that he got from the CPIO on 16-12-2011 was casual as the MHA simply sent a response without any application of mind that they have no inputs to furnish.

5. The respondent stated that their section was not dealing with this subject so accordingly they have responded. The respondent stated that they were not clear about what to do with this RTI application. The respondent stated that they will procure the requisite information from the pertinent sections and provide it to the appellant.

Decision:

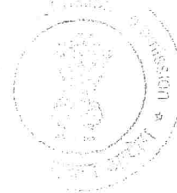
6. The respondent is directed to provide the information to the appellant on the points mentioned in the RTI application within 30 days of this order.

Appeal is disposed of. Copy of this order be given free of cost to the parties.

Vijai Sharma
(Vijai Sharma)
Information Commissioner

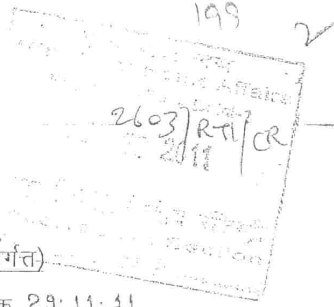
Authenticated true copy:

V.K. Sharma
(V.K.Sharma)
Designated Officer



5804/RTI/2014

9/12



सूचना का अधिकार आवेदन

(सूचना का अधिकार अधिनियम 2005 की धारा 6 के अंतर्गत)

प्रेषक,

दिनांक 29.11.11

सोनु सिंह,

ग्राम - सहीजना रोड, नजदीक सहजना मील.

पो 0 + जिला - गढ़वा.

झारखण्ड - 822114

संवा में,

केन्द्रीय जन सूचना पदाधिकारी,

केन्द्रीय गृह मंत्रालय, भारत सरकार,

नार्थ ब्लॉक, नई दिल्ली - 110001

विषय :- सूचना का अधिकार अधिनियम 2005 की धारा 6 के अंतर्गत उपबन्धित प्रावधानों के तहत मांगे गए विषयों से संबंधित सही एवं आपेक्षित सूचना अभिप्रमाणित प्रमाणों के साथ उपलब्ध कराने के संबंध में।

महाशय,

उपर्युक्त विषयक निवेदन करना है कि सूचना का अधिकार अधिनियम 2005 की धारा 6 के अधीन उपबन्धित सवैधानिक प्रावधानों के आशोक में मांगे गए विषयों से संबंधित वांछित सूचना अभिप्रमाणित प्रमाणों के साथ अधोहस्ताक्षरी के अधिनियम में निर्धारित 30 दिनों की सवैधानिक समयवाधि के भीतर उपलब्ध कराई जाए।

मांगी जा रही सूचना बिल्कुल निम्नांकित हैं :-

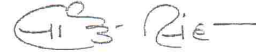
- DSCCS
DEPT
- यह कि पूरे भारत में सूचना का अधिकार कानून 2005 के प्रभावी रूप से अनुपालन किए जाने हेतु माननीय भारत सरकार के उत्तरदायी स्तर से जारी निर्देशों व आदेशों की वांछित प्रति उपलब्ध करायी जाए।
 - यह कि पूरे भारत में सूचना का अधिकार कानून लागू होने के पश्चात अबतक कितने ऐसे लोग हैं जो कि सूचना का अधिकार कानून का उपयोग करने के कारण हताहत हुए हैं। वांछित सूचना उपलब्ध कराई जाए।
 - यह कि सूचना का अधिकार कानून का उपयोग करने वाले लोगों को सुरक्षा व संरक्षण देने के निमित्त माननीय गृह मंत्रालय, भारत सरकार, नई दिल्ली के द्वारा पारित आदेशों व निर्देशों की वांछित प्रति उपलब्ध कराई जाए।

अधोहस्ताक्षरी के द्वारा सूचना का अधिकार आवेदन शुल्क के रूप में निर्धारित ₹ 10/- रु० की राशि का भुगतान सूचना का अधिकार अधिनियम 2005 के अधीन उपबन्धित प्रावधानों के अनुरूप मूल रूप में सूचना का अधिकार आवेदन के साथ समर्पित किया जा रहा है।

अतएव आपसे अनुरोध है कि उपर्युक्त अंकित सूचना बिन्दुओं से संबंधित वांछित एवं सही सूचना अभिप्रमाणित प्रमाणों के साथ सूचना का अधिकार अधिनियम 2005 में निर्धारित 30 दिनों की समयावधि के भीतर उपलब्ध कराने की कृपा करेंगे। सूचना उपलब्ध कराने के एवज में भुगतान की जाने वाली राशि की गणना सूचना का अधिकार (फीस और लागत का विनियमन नियम) 2005 की धारा 4 के अनुरूप गणनित की जाए। साथ ही साथ पन्नों की संख्या को सूचना बिन्दुवार रूप से उल्लेखित किया जाए। निवेदन है कि विषयों से संबंधित किसी भी प्रकार की जानकारी का विलोपन नहीं किया जाए।

सहयोग के लिए धन्यवाद!

विश्वासभाजन



(सोनू सिंह)

(आवेदक)

स्थान राइवा / दिनांक 29.11.11

अनुलग्नक संलग्न :-

1. सूचना का अधिकार आवेदन शुल्क के रूप में मूल्य रुपये ₹ 10. /- की राशि प्रावधानों के अनुकूल पोस्टल ऑर्डर संख्या 85E118212 द्वारा मूल रूप में समर्पित।