

No. 14039/63/2013-UTS-II
Government of India
Ministry of Home Affairs

North Block, New Delhi,
Dated the 24th October, 2013.

Sub: Appeal filed by Shri S.S. Rathor under Section 19 of the RTI Act, 2005

With reference to his appeal dated 22.10.2013 received in the UTS-II Desk/MHA on 22.10.2013 filed by Shri S.S. Rathor under section 19 of the RTI Act, 2005, the applicant is informed that the appeal filed by him vis-a-vis the reply given by CPIO have been considered. The points raised in your RTI application dated 03.09.2013 are covered under Section 8 (1) (b) of the RTI Act, 2005 (Exemption from Disclosure of information). Since the case is under investigation, the documents cannot be provided till the finalization of the matter. The reply given by the CPIO is correct and no intervention of Appellate Authority is required.

(I.S. Chahal) 20/10/13
Joint Secretary to the Government of India
and 1st Appellate Authority
Tel. No. 2309-2630

To

S.S. Rathor,
A-101, Meghdoot Co-operative Housing Society,
Plot No. 19, Sector-7,
Dwarka,
New Delhi - 110 045.

जारी किया/ISSUED
दिनांक/Date..... 28.10.13
सं. /Sl. No.....

2368
22/10

✓ The Appellate Authority,
Under Right to Information Act,
Shri I.S. Chahal,
Joint Secretary (UT),
Ministry of Home Affairs, North Block,
New Delhi - 110001.



RTI No. 14039/63/2013-UTS-II
U.S. 11/10/13
RTI No. 157
Date 22.10.13

Subject: Appeal against information received vide Letter No. 14039/63/2013-UTS-II dated 15.10.2013 from the Ministry of Home Affairs, Government of India with respect to information sought vide application dated 03.09.2013.

1. That I had requested for certain information vide application dated 03.09.2013. And that vide letter No. 14039/63/2013-UTS-II dated 15.10.2013, the information was declined as the same was cited to be covered under the exemption provided under Section 8 (1)(b) of the RTI Act, 2005 (Exemption from Disclosure of Information). A copy of the application and the reply received has been enclosed herewith.

2. That a perusal of the section 8 (1) (b) of the RTI Act, 2005 shows that only such information can be withheld as would impede the process of investigation or apprehension or prosecution of offenders.

3. That in my case the process of investigation was completed way back in May, 2007 where after a charge sheet has also been filed and the case is now pending trial before a Court of competent jurisdiction. It is also pertinent to mention that in the reply received from the CPIO, no reasons have been cited to show as to how the information sought would impede the process of investigation especially in light of the fact that the same was completed in May, 2007.

In the circumstances, it is requested that the CPIO may be directed to provide the information asked for at the earliest.

Yours sincerely,
S.S. Rathor 22/10/13
S.S Rathor
(M) - 9810791667
A-101, Meghdoot Co-operative Housing Society,
Plot No. 19, Sector 7,
Dwarka, New Delhi - 110045

JS (UT)
22/10/13
A.S.
22/10/13
DIR(S)

urgent pl.
So 10/11/13
22/10/13
R. Ravinder