

F. No.14039/61/2014-UTS-I
भारत सरकार/Government of India
गृह मंत्रालय/Ministry of Home Affairs

North Block, New Delhi-1
Dated the 26th June, 2014
30

To,
Smt. Bhagwati Devi,
H.No. 258,
Village-Karkardooma,
Delhi-110092.

Sub:-Information sought under the Right to Information Act, 2005.

Sir,

Kindly refer your application dated 09.05.2014 (received in UTS.I section on 11.06.2014), on the subject noted above.

2. It is submitted that you have sought information on A to S points. Points No. B,C,D,E,F,I,K,M,O,P,Q,R, & S out of points A to S pertain to UTS-I Desk, MHA. The information available in the Desk of which I am the DCPIO is as under:

S. No	Queries raised by applicant	Remarks
1.	Point No. B: Please give the action taken report on legal notice dated 03.05.2014 for granting of sanction to institute criminal prosecution (copy enclosed).	As per procedure, the complainant was requested to confirm sending the letter dated 03.05.2014 vide letter dated 22.05.2014. Reply from complainant is still awaited.
2.	Point No. C: Please disclose the name and designation of your officer to whom my legal notice dated 03.05.2014 for granting of sanction to institute criminal prosecution was entrusted for disposal.	Shri Sasi Kumar, Section Officer, UTS-I, Ministry of Home Affairs, North Block, New Delhi.
3.	Point No. D: Please provide the copy of official noting which your department prepared from the date of receiving my legal notice for granting of sanction to institute criminal prosecution upto till today.	Copy of the official noting is enclosed.
4.	Point No. E: Please disclose the name and designation of sanctioning authority who is competent to grant sanction for instituting criminal prosecution against Sh. Ajay Kumar, DCP (East), Delhi Police under the relevant provision of I.P.C.	The appointing Authority is the authority to approve sanction of prosecution, which in the instant case is the President of India.

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File

	<p>Point No. F: Please disclose the name and designation of sanctioning authority who is competent to grant sanction for instituting criminal prosecution against Sh. Ajay Kumar, DCP (East), Delhi Police under the relevant provision of prevention of corruption Act.</p>	<p>The appointing Authority is the authority to approve sanction of prosecution, which in the instant case is the President of India.</p>
6.	<p>Point No. G: Please disclose the name and designation of your officer who is the sanctioning authority for granting of sanction to institute criminal prosecution against Sh. Gajender Kumar, SHO, PS-Anand Vihar under the relevant provision of I.P.C.</p>	<p>UTS-I Desk only deals with matters relating to IPS officers of AGMU Cadre and hence this information is not available with this Desk. However, your application is being forwarded to Commissioner of Police, Delhi, who may be able to provide the information.</p>
7.	<p>Point No. H: Please disclose the name and designation of sanctioning authority who is competent to grant sanction for instituting criminal prosecution against Sh. Gajender Kumar, SHO, PS Anand Vihar under the relevant provision of Preventin of Corruption Act.</p>	<p>UTS-I Desk only deals with matters relating to IPS officers of AGMU Cadre and hence this information is not available with this Desk. However, your application is being forwarded to Commissioner of Police, Delhi, who may be able to provide the information.</p>
8.	<p>Point No. I: Please disclose whether you have recorded the statement of Sh. Ajay Kumar, DCP(East), Delhi Police on my legal Notice dt. 03.05.2014. Please provide this information.</p> <p>If yes, then provide a copy of the same.</p> <p>If no, then disclose the reasons available from record.</p>	<p>No.</p>
9.	<p>Point No. J: Please disclose whether you have recorded the statement of Sh. Gajender Kumar, SHO, PS Anand Vihar on my legal notice dt. 03.05.2014(copy enclosed). Please provide this information.</p> <p>If yes, then provide a copy of the same.</p> <p>If no, then disclose the reasons available from record.</p>	<p>UTS-I Desk only deals with matters relating to IPS officers of AGMU Cadre and hence this information is not available with this Desk. However, your application is being forwarded to Commissioner of Police, Delhi, who may be able to provide the information.</p>
10.	<p>Point No. K: Please disclose whether you have sought the comment on my legal notice dt. 03.05.2014 from Sh. Ajay Kumar, DCP(East), Delhi Police. Please provide this information in</p>	<p>No.</p>

	<p>detail.</p> <p>If yes, then provide the copy of the same.</p> <p>If no, then disclose the reasons available from records.</p>	
11.	<p>Point No. L: Please disclose whether you have sought the comment on my legal notice dt. 03.05.2014 from Sh. Gajender Kumar, SHO of PS Anand Vihar.</p> <p>Please provide this information in detail.</p> <p>If yes, then provide the copy of the same.</p> <p>If no, then disclose the reasons available from records.</p>	<p>UTS-I Desk only deals with matters relating to IPS officers of AGMU Cadre and hence this information is not available with this Desk. However, your application is being forwarded to Commissioner of Police, Delhi, who may be able to provide the information.</p>
12	<p>Point No. M: Please disclose whether the comment on my representation dt. 03.05.2014 has been received from Sh. Ajay Kumar, DCP(East), Delhi Police and Sh. Gajender Kumar, SHO, PS-Anand Vihar. Please provide this information in detail.</p> <p>If yes, then provide the copy of the same.</p> <p>If no, then disclose the reasons available from records for not taking the comment from him so far.</p>	No.
13.	<p>Point No. N: Please disclose whether the comment on my representation dt. 03.05.2014 has been received from Sh. Gajender Kumar, SHO of PS- Anand Vihar, Delhi.</p> <p>Please provide this information in detail.</p> <p>If yes, then provide the copy of the same.</p> <p>If no, then disclose the reasons available from records for not taking the comment from him so far.</p>	No.

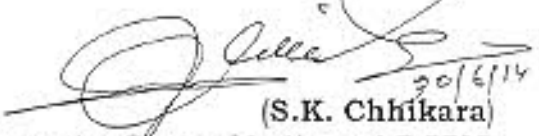
4. Information regarding Sh. Gajender Kumar, SHO, PS-Anand Vihar is concerned with CP, Delhi.

5. The name & designation of 1st Appellate Authority is as follows:-

Shri Iqbal Singh Chahal,
Joint Secretary (UT),
Ministry of Home Affairs,
North Block, New Delhi-110001.

Yours faithfully,

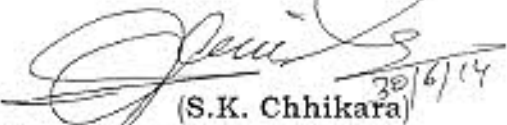
Encl:- As above.


30/6/14
(S.K. Chhikara)

Under Secretary to the Govt. of India and DCPIO
Tel.2309-3657

Copy to:

The Commissioner of Police, Delhi, Police HQ., I.P. Estate, New Delhi. The RTI application of Smt. Bhagwati devi, Delhi is enclosed for providing reply directly to the applicant, on the points concerning Delhi Police.


30/6/14
(S.K. Chhikara)

Under Secretary to the Govt. of India and DCPIO
Tel.2309-3657

APPLICATION FOR SEEKING INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005

I.D.No

(For Official Use)



To
The Public Information Officer
Ministry of Home affairs
North Block, New Delhi -1

1 Name Bhagwati Devi
2 Address H No 258, Village Khatkhat, Delhi - 92

- 3 Particulars of information:-
 - (a) Concerned department Office of secretary of MHA
 - (b) Particulars of information required
 - (iv) Details of information required

RTI

A is it correct that in view of law lay down by Hon'ble Supreme court of India in case title Subramanum Swamy Versus Manmohan Singh and in another case title Vineet Narian Versus UOI , it is the statutory duty of sanctioning authority to consider the representation of sanction and finally dispose of the same within 90 days

Please provide this information in detail

- B. Please give the action taken report on Legal Notice dated 3-05-2014 for granting of sanction to Institute criminal prosecution (Copy enclosed).
- C. Please disclose the name and designation of your officer to whom my Legal notice dated 3-05-2014 for granting of sanction to institute criminal prosecution was entrusted for disposal.
- D. Please provide the copy of official noting which your department prepared from the date of receiving my legal notice for granting of sanction to institute criminal prosecution upto till today .
- E. Please disclose the name and designation of sanctioning authority who is competent to grant sanction for instituting criminal prosecution against Sh Ajay Kumar , DCP (East) , Delhi Police under the relevant provision of I.P.C.
- F. Please disclose the name and designation of sanctioning authority who is competent to grant sanction for instituting criminal prosecution against Sh Ajay Kumar , DCP (East) , Delhi Police under the relevant provision of Prevention of Corruption Act.
- G. Please disclose the name and designation of your officer who is the sanctioning authority for granting of sanction to Institute criminal prosecution against Sh Gajender Kumar , SHO , PS- Anand Vihar under the relevant provision of i.P.C.

3R
15/5/2014

2 H. Please disclose the name and designation of sanctioning authority who is competent to grant sanction for instituting criminal prosecution against Sh Gajender Kumar , SHO , PS Anand Vihar under the relevant provision of Prevention of Corruption Act.

I Please disclose whether you have recorded the statement of Sh Ajay Kumar , DCP (East) , Delhi Police on my legal Notice dt 3-5-2014. Please provide this information.

If yes, then provide a copy of the same.
if no, then disclose the reasons available from record.

J Please disclose whether you have recorded the statement of Sh Gajender Kumar , SHO f PS Anand Vihar on my legal Notice dt 3-5-2014 (Copy enclosed) . Please provide this information.

If yes, then provide a copy of the same.
if no, then disclose the reasons available from record.

K Please disclose whether you have sought the comment on my legal notice dt 3-5-2014 from Sh Ajay Kumar , DCP (East) , Delhi Police .

Please provide this information in detail .
If yes then provide the copy of the same
If no then disclose the reasons available from records

L Please disclose whether you have sought the comment on my legal notice dt 3-5-2014 from Sh Gajender Kumar , SHO of PS Anand Vihar ,

Please provide this information in detail .
If yes then provide the copy of the same
If no then disclose the reasons available from records

M Please disclose whether the comment on my representation dt 3-05-2014 has been received from Sh Ajay Kumar , DCP (East) , Delhi Police and Sh Gajender Kumar , SHO, PS- Anand Vihar . Please provide this information in detail .

If yes then provide the copy of the same
If no then disclose the reasons available from records for not taking the comment from him so far .

N Please disclose whether the comment on my representation dt 3-5-2014 has been received from Sh Gajender Kumar , SHO of PS- Anand Vihar , Delhi .

Please provide this information in detail .
If yes then provide the copy of the same
If no then disclose the reasons available from records for not taking the comment from him so far .

O Please disclose whether any inquiry was set up on my representation for granting of sanction (Copy enclosed) . Please provide this information in detail .

If yes then provide the copy of the same

3. If no then disclose the reasons available from records .
- P Please disclose the date , time , month & year when you shall consider my representation of sanction and shall finally dispose of the same .
- Q It is correct that till today you have not yet considered my representation of sanction for granting of sanction to institute criminal prosecution. Please provide this information in detail . Copy enclosed
- If yes then disclose the reasons available from records for not doing so .
- If no then provide the copy of the same .
- R Please disclose whether you have set up vigilance enquiry in this matter or not. Please provide this information in detail.
- If yes, then provide the copy of the same and further disclose the name and designation of vigilance officer who has been nominated to conduct vigilance inquiry to fix the personal accountability .
- If no then disclose the reasons available from records for not doing so .
- S Please disclose whether the order for holding departmental inquiry has been given so far against Sh Ajay Kumar , DCP (East), and Sh Gajender Kumar , SHO of PS- Anand Vihar . Please provide this information in detail .
- If yes then provide the copy of the same .
- If no then disclose the reasons available from records for not doing so .

4. The postal order Rs 10 is enclosed as requisite fees Under Right to Information Act, 2005.

Place

Date 9/5/14


Signature of Applicant
E-Mail if any
Mobile No

28A 402275 dt 15/1/14 B/101