

No.14039/64/2013-UTS.II
Government of India
Ministry of Home Affairs

North Block, New Delhi-110 001.
Dated the 18th October, 2013.

Sub: Information sought by Shri Siddharth Mehta under section 6(3) of the RTI Act, 2005- regarding.

With reference to his application 12.08.2013 of Shri Siddharth Mehta, 25, IInd Floor, Rajendra Park, Opposite Shankar Road New Delhi seeking information under section 6(3) of RTI Act, 2005; a copy of which has been received in the UTS-II Section/MHA on 09.10.2013. The desired information in respect of DANIPS officers is provided as under:

Point No. 01 to 03 & 08 to 10:- The decision regarding Sanction of prosecution is taken as per the extant guidelines of DoP&T/CVC as available on the CVC website <http://cvc.nic.in/man04.pdf>.

Point No. 04 to 07, 19 & 21:- The applicant is informed that such data is not centrally maintained in UTS-II Section.

Point No. 11 to 18:- These questions of your RTI application pertain directly to the Delhi Police. Hence, a copy of the representation is transferred to the Delhi Police to provide reply to the applicant directly.

Point No. 20:- This pertains more closely to DoP&T. Hence, a copy of RTI application is transferred to DoP&T for providing reply to the applicant.

3. The name and address of the Appellate Authority is as under:

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



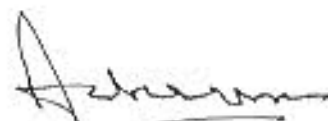
(Anuj Sharma)
Director (Services) & CPIO
Tel: 2309 2436

To

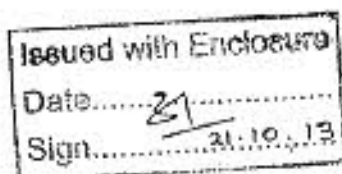
Shri Siddharth Mehta,
25, IInd Floor, Rajendra Park,
Opposite Shankar Road,
New Delhi - 110 060.

Copy to:

1. The CPIO/DCP (Estt.), Delhi Police, Police Headquarter, MSO Building, Near ITO, New Delhi- 110 002 under section 6(3) of the RTI Act, 2005 with the request to furnish reply in r/o points pertaining to your department. Copy of the relevant application is **enclosed**.
2. The CPIO, DoP&T, Ministry of Home Affairs, North Block, New Delhi - 110 001 under section 6(3) of the RTI Act, 2005 with the request to furnish reply in r/o points pertaining to your department. Copy of the relevant application is **enclosed**.



(Anuj Sharma)
Director (Services) & CPIO
Tel: 2309 2436



5922/RTI/2013
16/9/13

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To

Central Public Information officer
Ministry of Home Affairs
North Block
New Delhi- 110001



Date : August 19th 2013

Sub : Application under section-6 of RTI Act, 2005

Sir,

You are requested to furnish the following information :

- 1) What is the procedure followed by your Ministry on receiving applications for seeking sanction to prosecute Police Officers under Section 197 CrPC?
- 2) What are the norms followed by the Ministry while adjudicating upon the applications for seeking sanction to prosecute Delhi Police personnel? Has the Ministry set any guidelines for adjudicating upon such applications?
- 3) Which official adjudicates upon such applications?
- 4) How many applications for obtaining sanction (under Section 197 CrPC) against Delhi Police personnel were received in the period 2008-2012?

✓
decision
req.
sop is
taken
as per
the extant
guidelines
of DoPT.

- 5) How many applications for seeking sanction to prosecute Delhi Police Personnel have been received in 2013 (Please provide the data pertaining to the months January to July 2013) ?
- 6) Between 2008 to 2012 how many applications for obtaining sanction to prosecute Delhi Police personnel were rejected by your Ministry?
- 7) How many such applications have been rejected in the year 2013 (Please provide the data pertaining to the period from January – July 2013) ?
- 8) What is the procedure followed in case an application for obtaining sanction is rejected? Does the Ministry make a speaking order while rejecting such an application? ✓
- 9) On the basis of the averments in such applications, does the Ministry initiate Departmental Inquiry against the officials in respect of whom an application for seeking sanction to prosecute is made ?
- 10) If your answer to Para 9 is Yes, then how many Delhi Police personnel have been prosecuted on the basis of such averments in the period between 2008-2012?
- 11) What action can be taken under the service rules against Delhi Police personnel by you on receiving a complaint from an aggrieved individual?
- 12) Please provide the definition of 'suspension' under the relevant rules/norms of Delhi Police? If the term has not been defined anywhere then please explain the process that is followed on suspension of a Delhi Police personnel? When does a Delhi police officer become eligible to be reinstated on service after getting suspended?

13) Please explain the difference between 'suspension' and 'dismissal' with regard to the service benefits of the Delhi Police Officials? Does a suspended official continue to receive remuneration?

14) How many Delhi Police officials were suspended between 2008 and 2012?

15) Also provide information about the number of suspended officials (between 2008 and 2012) who were reinstated. How many of these officials were subsequently dismissed?

16) How many Delhi Police officials were suspended in 2013 (January – August 15 2013)?

17) How many Delhi Police Officials are serving their suspension period as of August 15 2013?

18) How many instances of non registration of FIR, Assault and custodial torture were reported to you in the period 2008-2012?

19) In how many cases (in the period between (2008-2012) was action taken by your Ministry against the erring officials?

No data

20) If an individual is aggrieved by the decision made by your Ministry under Section 197 CrPC, what remedy is available with him?

Kindly refer the relevant rules of Delhi

21) In how many cases was an adverse observation made by Courts against your Ministry for refusing sanction to prosecute a Delhi Police Official? (Please provide data pertaining to the period 2008-2012)

No data

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The data sought by me is not exempted under Section 8 and Section 9 of the Right to Information Act, 2005.

I am an Indian Citizen.

Please note that refusal or neglect to provide information would entitle me to file an appeal in which case you shall be liable to a fine of Rs 250/- day until the date on which information is furnished

Yours Faithfully


18/8/13
Siddharth Mehta

25, IInd Floor Rajendra Park,
Opposite Shankar Road,
New Delhi 110060
09810684200