

S. No. 2(CI)

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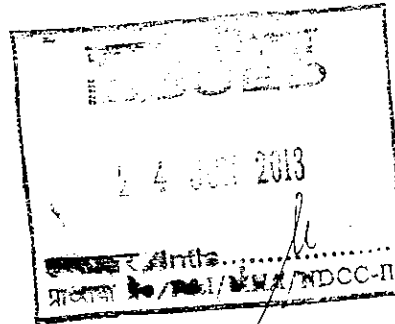
SPEED POST

No.21/95/2013-M&G
Government of India
Ministry of Home Affairs

NDCC-II Building, Jai Singh Road,
New Delhi 24th June, 2013.

To

Shri R.L.Kain,
66-B, Pocket - I,
Dilshad Garden,
Delhi - 110 095.



24 JUN 2013

Subject: Supply of information under the Right to Information Act, 2005

Sir,

With reference to your application dated 10.05.2013 seeking information under the RTI Act, 2005 and Ministry of Home Affairs letter No. 15042/462013-Delhi-I dated 30.05.2013, the following information is provided with respect to point (4) to (10) of your application:

Point	Reply
(4)	Shri N.D.Tiwari assumed the office of the Governor of Andhra Pradesh on 22.08.2007. A copy of the Warrant issued by the President of India appointing Shri N.D. Tiwari as Governor of Andhra Pradesh is enclosed.
(5)	Shri N.D.Tiwari had resigned from the office. A copy of the resignation letter by Shri N.D. Tiwari indicating the ground for his resignation is enclosed.
(6)	This CPIO has no information to provide in this regard.
(7)	There is no provision for impeachment of the Governor.
(8) to (10)	This CPIO has no information to provide in this regard.

2. As per Section 19 of the Right to Information Act, 2005, an appeal against this letter would lie before Shri S. Suresh Kumar, Joint Secretary (CS) and the First Appellate Authority, Ministry of Home Affairs, NDCC-II Building, Jai Singh Road, New Delhi.

Yours faithfully,

(Ashutosh Jain)
Director & CPIO

A. KAIN
and **DANICS**
RTI Activist, Guest Faculty, Research Scholar & Dr. Ambedkar Awardee

RTI APPLICATION SENT THROUGH POST OFFICE

Dated 10th May, 2013

The Central Public Information Officer,
The President Secretariat, Rashtrapati Bhawan,
New Delhi - 110004.

Sub: Supply of information, documents and allow inspection of records under RTI Act, 2005 regarding issuance of advisories to GNCT of Delhi desisting from printing the photographs of Smt. Sheila Dikshit, CM, Delhi and Mr. Raj Kumar, Minister of PWD, Development/L&B, Welfare of SC/ST/OBC/Minorities from Loan Application Forms of **Dilli Swarojgar Yojna** in all probity

Sir,

Kindly arrange to supply the following information, documents and allow inspection of records relating to issue of advisories in the case of removal of photographs of Smt. Sheila Dikshit, Chief Minister of Delhi and Mr. Raj Kumar, Minister of PWD, Development/L&B, Welfare of SC/ST/OBC/Minorities, GNCT of Delhi, from Loan application Forms so as to restrain misuse and abuse of powers and authority while functioning as public authorities.

1. Whether the contents of news-item appeared in the Hindustan Times dated 7th May, 2013 at page 5 under the heading of **Lokayukta Opposes CM's Photos on Forms** are true and correct, please confirm it or deny it in categorical terms?

2. Whether Justice Manmohan Sarin, Lokayukta, Delhi has forwarded a copy of Report (judgment) of 6th May, 2013 based on the complaint of Dr. Harsh Vardhan, MLA, Delhi complaint regarding printing of photographs of Smt. Sheila Dikshit, Chief Minister of Delhi and Mr. Raj Kumar, Minister of PWD, Development/L&B, Welfare of SC/ST/OBC/Minorities, GNCT of Delhi, in loan application forms and fixing of its price amounting to Rs.100/- per application form, if yes, whether the Hon'ble President of India has since issued his advisory as per law against the errant Chief Minister of Delhi Smt. Sheila Dikshit and her Minister Mr. Raj Kumar for removal of their photographs from printed loan application forms of **Dilli Swarojgar Yojna** as both of them are adamant to honour the findings of Justice Manmohan Sarin, Lokayukta, Delhi, if yes, please arrange to supply a certified copy of the advisory issued to public functionaries whose conduct is held to be in violation of norms of integrity and conduct expected of public functionaries?

3. (i) In how many cases the Lokayukta, Delhi and the Uplokayukta, Delhi had since forwarded their reports to the Hon'ble President of India against the errant public functionaries of Delhi under the Delhi Lokayukta, Delhi & Uplokayukta, Act, 1995 on different subjects since after formation of this Act for appropriate and just action at the end the Hon'ble President of India, please supply the statistical year-wise data of reports received from Delhi, (ii) please also arrange to supply the decision taken by President against each of the report, year-wise against public functionaries and executive officers who became tool to evaporate the government funds for their person gains and publicity and their compliance was reported to President, if any, by the errant government officials who tempted to come under the pressure of these public functionaries who treated the governments funds as that of their personal money, (iii) please supply the complete details thereof and certified copies of the advisories issued for appropriate and just action against the errant public authorities whose work and conduct found to be in violation of the norms or integrity and conduct expected of public functionaries

*Not available
related to this letter*

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the said class as is widely evident from the case of photographs of Smt. Sonia Gandhi, President of NC continued to be published in daily newspaper, being a Chairperson of UPA at the cost of public exchequer through central ministries during the tenure when she was not Chairperson of UPA for quite a long period which ultimately resulted into loss of revenue on unproductive and unwarranted publicity of a non-entity person through the executive officer who were possessed of half baked knowledge of law and published her photographs to gain an unfair advantage with an eye on the forthcoming elections and all such executive officers washed of their hands while supplying information to my RTI quarries for want of records, to supply any kind of information against her conduct publicity and similarly Mr. Raj Kumar, Minister of PWD/Development/L&B/Welfare of SC?ST/OBC/Minorities, prompted him to get his photographs printed along-with Smt. Sheila Dikshit on similar analogy of misuse for abuse of public funds for printing of photographs of CM, Delhi with Shri Haroon Yusuf, Minister of Food and Supplies on all forms for Application for Replacement of **Kerosene Oil with LPG Gas Connection** under the "Kerosene Free Delhi" and their compliance report together with final details of action taken against the errant public functionaries and executive officers who did not maintain their absolute integrity towards their duties and the law of the land? Please supply all the specific information and documents explicitly called for on the subject.

4. When was Shri Narayan Dutt Tiwari was appointed as Governor of Andhra Pradesh by President of India under Article 155 of the Constitution, please supply a certified copy thereof?

5. Whether (i) Shri Narayan Dutt Tiwari resigned his office as Governor of Andhra Pradesh by writing under his hand addressed to the President under Article 156(2) of the Constitution of India, if yes, what were the compelling circumstances to demit his office, please arrange to supply the certified copy of the resignation letter, (ii) in case the President of India withdrew her pleasure under Article 156(1), if yes, please quote the reasons of her withdrawal of her pleasure and arrange to supply the certified copy of the for withdrawal of pleasure or the communication sent to him for withdrawal of pleasure, please supply the copy of the same and what were the reasons of his demission of office of Governor, please arrange to supply the certified copy thereof?

6. Whether the Council of Ministers sent any aid and advice to the President of India under Article 74(1) of the Constitution to remove Shri Narayan Dutt Tiwari as Governor of Andhra Pradesh, if yes, what were the grounds of removal, whether the Council of Ministers had examined the grounds of moral turpitude for registration of criminal case against him being a Government servant, please arrange to supply the certified copy of the same and also allow inspection/scrutiny of this file also as there is no bar under Article 74(2) of the Constitution of India for?

7. Whether any immunity had been granted to the Governor of any State from impeachment or the procedure of removal alike President of India under Article 56(b) of the Constitution of India, if yes, please quote the provision and arrange to supply the certified copy thereof, if no such immunity had been granted in favour of Governor of any State, please apprise the reasons as to why Shri Narayan Dutt Tiwari, the then Governor of Andhra Pradesh who was found to be naked with many women as reported by the media, press and electronic media, that he was with three naked women at Raj Bhawan, the Government premises on duty, whether simple recommendation of withdraw of pleasure was communicated to President of India by her Council of Ministers, if yes, please supply a certified copy thereof, why was no advisory issued by the then President of India who herself was simply proposed by Congress Party as first women President of India after independence for women empowerment in the country, if yes, then as to why no criminal proceedings were proposed as per law when all citizens are equal before law? Please elucidate the reasons as to why the paramountcy of the Constitution of India was sacrificed?

8. What had prompted the then President of India simply to withdraw her pleasure under Article 156(1) of the Constitution of India from Shri Narayan Dutt Tiwari, as Governor of Andhra Pradesh to

omit his office and as to why no criminal case was instituted against Shri Narayan Dutt Tiwari on moral turpitude grounds which is most condemnable act in civil society and the present state of affairs mounting rate of rape is the result of this factor?

9. Please arrange to supply the certified copies of information reached to Central Government, PMO which had prepared the Cabinet Note and final decision of Cabinet or Council of Ministers recommending simple removal of Narayan Dutt Tiwari had emerged due to the fact that it had completely allowed the legacy of Gandhi that is why he had not been booked by any agency nor any recommendations were made by his appointing authority nor she had exhibited her courage to quell the practice of moral turpitude with heavy hands which is the direct consequences of sudden spurt of similar crimes in the society, please supply the bunch of information received by Government against the then Governor of Andhra Pradesh for his misdeeds and acts of unbecoming of public functionaries?

10. Whether any proposal was put-up before the present Hon'ble President of India with mounting complaints and a CD against Shri Narayan Dutt Tiwari, the then Governor of Andhra Pradesh who was found involved in moral turpitude at Raj Bhawan at Government premises for seeking ex-post facto for prosecution so as to bring an impact in the society to establish a rule of law, if yes, please supply the copy of decision passed by him so as to bring an impact in the society to contain the present situation?

11. The undersigned also wish to inspect all such advisories and records relating not only to this specific RTI application but also to other advisories issued by the Hon'ble President of India from time not only to GNCT of Delhi alone but also to other States for the functioning of Lokayukta or advisories on different subjects as the efficiency of President Secretariat is going down day by day as the acts and omissions of President's Secretariat are under severe public criticism on matters of public importance which has been kept out of public domain such as clemency and non-prosecution of former Governor of Andhra Pradesh whose CD was aired on local channels about his moral turpitude which had lowered heads of people in public life but Government of India had ignored it as a matter of party affairs. Parrot has to come out of the cage while discharging its constitutional duties. Elected and nominated representatives are servants of people they are not masters of the country as enshrined in the Constitution of India. Please fix up early date of inspection of records along-with my representative4s.

I am sure that all information and documents as called for are held by your office as the President Secretariat is repository of policy decisions and all Cabinet decisions of the Government of India from time to time. No information falls under Section 8 & 9 of RTI Act, 2005 and no administrative restriction of 500 words as imposed by misguided DoPT bureaucrats is applied to any information seeker as it is not a court of law. I am depositing the prescribed fee of Rs.10/- vide blank IPO No. 08F - 776472. Please fix up an early date of inspection of records/documents being repository of all government's decisions since after independence till now, to minimize my requirements and all such records will be treated as part of this RTI application by all means as CPIO. President Secretariat had been proved to be non-cooperative till now over my repeated RTI applications on different subjects.

Encl: As above


(R. L. KAIN)

66-B, Pocket I, Dilshad Garden, Delhi-110095

Retd. DANICS from GNCT of Delhi, Guest Faculty with UTCS, GNCT of Delhi and Delhi Police Training College. New Delhi, Research Scholar at National Archives and Nehru Museum & Library, New Delhi, Dr. Ambedkar Ratna Awardee from Govt. of Delhi in 2008.
Mobile No.9716859259 e-mail rlkaindgarden@gmail.com

