

By Speed Post

**No. 14039/72/2013-UTS-II
Government of India
Ministry of Home Affairs**

**North Block, New Delhi,
Dated the 12th November, 2013**

Sub: Information sought by Shri Sanjay Arora under the RTI Act, 2005- regarding.

With reference to his applications dated 02.10.2013 and 10.10.2013 filed by Shri Sanjay Arora, S/o Shri G.C. Arora, Flat No. 11B, Ground Floor, Ram Nagar Extn-II, Delhi, a copies of which have been received in the UTS-II Section/MHA on 06.10.2013 through the Under Secretary (Delhi), the pointwise reply to the information sought by the applicant is as under:

APPLICATION - I (dt. 02.10.2013).

A-1. The legal notice dated 27.09.2013 was forwarded by the Delhi Desk to the Govt. of NCT of Delhi vide Ministry letter No.U.13028/67/2013-Delhi-I dated 08.10.2013 for necessary action. Further, on receipt of the said notice from US (Delhi), a copy of the same was referred to Pr. Secretary (Services) and Pr. Secretary (Vigilance) vide letter dated 23.10.2013 for their report & comments

A-2

to

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The information sought by the applicant pertains to the GNCT of Delhi and Delhi Development Authority. Therefore, the application is being transferred to GNCT of Delhi/DDA under section 6(3) of the RTI Act, 2005.

APPLICATION - II (dt. 10.10.2013).

A The legal notice dated 04.10.2013 filed by the applicant was transmitted to the Principal Secretary(Services), GNCT of Delhi and Principal Secretary(Vigilance), GNCT of Delhi for necessary action at their end as the contents of the notice pertained to them.

B-L The information sought pertains to GNCT of Delhi/DDA. Therefore, the application is transferred to GNCT of Delhi/DDA under section 6(3) of the RTI Act, 2005.

Contd.....2/-

M&S Copy of letter dated 23.10.2013 addressed to the Principal Secretary (Services), GNCT of Delhi and the Principal Secretary (Vigilance), GNCT of Delhi, was also endorsed to the applicant for information.

N-R The information sought does not pertain to the Ministry of Home Affairs and is transferred to the respective departments under section 6(3) of the RTI Act, 2005.

T-X The information sought does not pertain to the Ministry of Home Affairs and is transferred to the DoP&T under section 6(3) of the RTI Act, 2005.

2. 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
Tele No.2309-2436

To

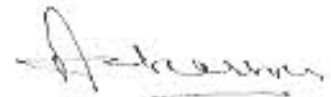
Shri Sanjay Arora,
S/o Shri G.C. Arora,
Flat No. 11B, Ground Floor,
Ram Nagar Extn-II,
Delhi.

Copy to (By Speed Post) under Section 6(3) of RTI Act, 2005 with the request to furnish reply in r/o points pertaining to your Ministry/departments, (Copy of the relevant application is enclosed):

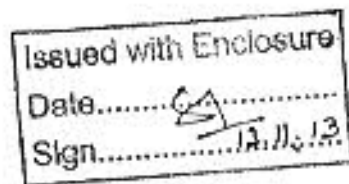
1. The Secretary (Services), Government of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi - 110 002. You are requested to provide necessary information pertaining to your Ministry to the applicant.
2. The CPIO, Central Vigilance Commission, Satarkta Bhawan, INA, New Delhi. You are requested to provide necessary information pertaining to your Ministry to the applicant.
3. The Vice Chairman, DDA, Vikas Sadan, INA, New Delhi. You are requested to provide necessary information pertaining to your Ministry to the applicant.

Contd....3/-

4. The Secretary, DoP&T, Ministry of Public Grievances and Pensions, North Block, New Delhi. You are requested to provide necessary information pertaining to your Ministry to the applicant.
5. The Secretary, Urban Development, Ministry of Urban Development, Nirman Bhawan, New Delhi. You are requested to provide necessary information pertaining to your Ministry to the applicant.
6. The Director, Directorate of Public Grievances, Cabinet Secretariat, Sardar Patel Bhawan, New Delhi. You are requested to provide necessary information pertaining to your Ministry to the applicant.



(Anuj Sharma)
Director (Services)/CPIO
Tele No.2309-2436



6503/RTI/2013
24/10/13

11/c

APPLICATION FOR SEEKING INFORMATION UNDER RIGHT TO
INFORMATION ACT 2005

I.D.No.....

To
Public information officer
Ministry of Home Affairs
North Block, New Delhi-110001



1. Name of the Applicant: Sh. Sanjay Arora
2. Address: 11B, Ground Floor, Ram Nagar Extn.-II,
Delhi-110092

3. Particulars of the Information

(a) Concerned Department Office of Secretary, MHA

(b) Detail of Information required

A-1 Please give the action taken report on my legal Notice dt 27-09-2013 which was given to you for granting of sanction to initiate criminal prosecution against D. DEEPTI VILLAS, VICE CHARIMAN OF DDA, SH. SUNIL KUMAR GULATI (CVO), SH. SANJEEV MITTAL (DIRECTOR LAND), SH. TAPAN JHA, DEPUTY DIRECTION (INSTITUTIONAL LAND), AND SH. S. N. GUPTA (DIRECTOR RESIDENTIAL LAND) (copy enclosed)

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dr (2/11/13)

A-2 Please disclose the name and designation of your officer to whom my such representation for granting of sanction dt 27-09-2013 (copy enclosed) was entrusted for disposal.

A-3 Please provide the copy of official noting which your department has prepared from the date of receiving my application/notice till today for granting of sanction to initiate criminal prosecution (copy enclosed)

A-4 Please disclose whether you have disposed of my application (copy enclosed) for granting of sanction to initiate criminal prosecution against D. DEEPTI VILLAS, VICE CHARIMAN OF DDA, SH. SUNIL KUMAR GULATI (CVO), SH. SANJEEV MITTAL (DIRECTOR LAND), SH. TAPAN JHA, DEPUTY DIRECTION (INSTITUTIONAL LAND), AND SH. S. N. GUPTA (DIRECTOR RESIDENTIAL LAND) (copy enclosed)

Please give your reply in yes or no

If yes then provide the copy of the same alongwith official noting .



If no then state the reasons available from records for not disposing of my application/notice till today for granting of sanction.

- ✓ A. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 197 of criminal procedure code 1973 for granting of sanction to institute criminal prosecution against D. Deepti Vilas, Vice Chairman, Delhi Development Authority.
- ✓ B. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 19 of prevention of corruption act 1988 for granting sanction to institute criminal prosecution against D. Deepti Vilas, Vice Chairman, Delhi Development Authority.
- ✓ C. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 197 of criminal procedure code 1973 for granting of sanction to institute criminal prosecution against Sh. Sunil Kumar Gulati, Chief Vigilance Officer, Delhi Development Authority.
- ✓ D. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 19 of prevention of corruption act 1988 for granting sanction to institute criminal prosecution against Sh. Sunil Kumar Gulati, Chief Vigilance Officer, Delhi Development Authority.
- ✓ E. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 197 of criminal procedure code 1973 for granting of sanction to institute criminal prosecution against Sh. Sanjeev Mittal, Director Land, Delhi Development Authority.
- ✓ F. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 19 of prevention of corruption act 1988 for granting sanction to institute criminal prosecution against Sh. Sanjeev Mittal, Director Land, Delhi Development Authority.
- ✓ G. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 197 of criminal procedure code 1973 for granting of sanction to institute criminal prosecution against Sh. Tapan Jha, Deputy Director (Institution Land) Delhi Development Authority.
- ✓ H. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 19 of prevention of corruption act 1988 for granting sanction to institute criminal prosecution against Sh. Tapan Jha, Deputy Director (Institution Land) Delhi Development Authority.



- I. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 197 of criminal procedure code 1973 for granting of sanction to institute criminal prosecution against Sh. S. N. Gupta, Director Residential Land, Delhi Development Authority.
- J. Please disclose the name and designation of sanctioning authority who is competent to grant sanction under section 19 of prevention of corruption act 1988 for granting sanction to institute criminal prosecution against Sh. S. N. Gupta, Director Residential Land, Delhi Development Authority.
- K. Please disclose what is the procedure in your office for disposing of a representation which are receives in your department for granting of sanction against the employee of DDA.
- L. Please provide the copy of **COMPLAINT HANDLING POLICY** by which a complaint received against DDA Officials are disposed off by your department.
- M. Please disclose what is the procedure in your office for disposing off a representation if the representation is made for granting of sanction against Vice Chairman of DDA
- N. Please disclose what is the procedure in your office for disposing off a representation if the representation is made for granting of sanction against Chief Vigilance Officer, DDA
- O. Please disclose what is the procedure in your office for disposing off a representation if the representation is made for granting of sanction against Director Land, DDA
- P. Please disclose what is the procedure in your office for disposing off a representation if the representation is made for granting of sanction against Deputy Director (Institutional Land), DDA
- Q. Please disclose what is the procedure in your office for disposing off a representation if the representation is made for granting of sanction against Director Residential Land, DDA
- R. Please disclose whether the statement of Sh. D. Deepti Vilas, Vice Chairman, DDA has been recorded for taking his comment on my representation dated 27-09-2013.

Please provide this information in detail

If YES then provide the copy of the same

If NO then disclose the reasons available from records.

✓ S. Please disclose whether the statement of Sh. Sunil Kumar Gulati, Chief Vigilance Officer, DDA has been recorded for taking his comment on my representation dated 27-09-2013.

Please provide this information in detail

If YES then provide the copy of the same

If NO then disclose the reasons available from records.

✓ J. Please disclose whether the statement of Sh. Sanjeev Mittal, Director Land, DDA has been recorded for taking his comment on my representation dated 27-09-2013.

Please provide this information in detail

If YES then provide the copy of the same

If NO then disclose the reasons available from records.

✓ U. Please disclose whether the statement of Sh. Tapan Jha, Deputy Director (Institutional Land) DDA has been recorded for taking his comment on my representation dated 27-09-2013.

Please provide this information in detail

If YES then provide the copy of the same

If NO then disclose the reasons available from records.

✓ N. Please disclose whether the statement of Sh. S. N. Gupta, Director, Residential Land, DDA has been recorded for taking his comment on my representation dated 27-09-2013.

Please provide this information in detail

If YES then provide the copy of the same

If NO then disclose the reasons available from records.

✓ W. Please disclose the name of the Junior Engineer, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92

✓ X. Please disclose the name of the Executive Engineer, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92

- ✓Y. Please disclose the name of the Assistant Engineer, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓Z. Please disclose the name of the Superintendent Engineer, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓AA. Please disclose the name of the Vice Chairman, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓BB. Please disclose the name of the Chief Vigilance Officer, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓CC. Please disclose the name of the Director Land, DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓DD. Please disclose the name of the Deputy Director (Institutional Land) DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓EE. Please disclose the name of the Director (Residential Land) DDA in whose tenure the encroachment on public land was duly made by the management of D.A. V. School, Srestha Vihar Branch, Delhi-92 in front of House No. 151, Srestha Vihar, Delhi-92
- ✓FF. Please disclose whether the personnel accountability of any DDA Officials has been fixed who was accountable to take necessary legal action against the management of D.A. V. School, Srestha Vihar Branch, Delhi-110092 while committing public land encroachment in front of House No. 151, Srestha Vihar, Delhi-92.

If YES then disclose the name of those officers who have been booked for major penalty.

If NO then disclose the reasons available from record.

- ✓GG. Please disclose the name of Vigilance Officer who is doing vigilance inquiry to fix the personnel accountability of erring officials in this episode.

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4. I state that the information sought does not fall within the restrictions contained in section 8 of the Act and to the best of my knowledge it pertains to your office.

5. A fee of Rs 10 is enclosed vide Postal order no ^{13F 826573} dated.

Place: - Delhi

Dated: - 2/10/13

Sanjay Arora

Signature of Applicant

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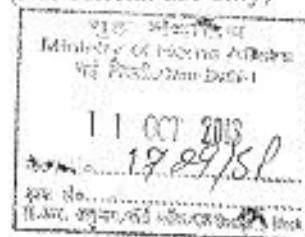
FORM OF APPLICATION UNDER RIGHT TO INFORMATION ACT 2005

LD. No.....

(For official use only)

To

The Public Information Officer
Ministry of Home Affairs
North Block, New Delhi



- 1. Name of the Applicant SANJAY ARORA
- 2. Address 11B, Ground Floor, Ram Nagar
Extn.-II, Delhi - 51

3. Particulars of information:

(a) Concerned Department: Office of Secretary, MHA

(b) Particulars of information required:

RTI

US (20/11)

- A Please give the action taken report on my legal notice dated 04-10-2013 (Copy enclosed)
- B Please disclose the name and designation of your officer who is nominated to conduct an enquiry on my legal notice dated 04-10-2013 (Copy enclosed).
- C Please provide the copy of official noting and proceeding sheet which your department has prepared from the date of receiving my legal notice dated 04-10-2013 (Copy enclosed) and upto till today.
- D Please disclose the name and designation of the nominated officer who is nominated by your department to reply of legal notice in view of law lay down by the Hon'ble Supreme Court of India in case title Salem Advocate Bar Association Versus U.O.I. reported in A.I.R. 2005 SC 3353.
- E Please disclose the date, time and month when the said nodal officer was nominated by your department to reply of my legal notice dated 04-10-2013 (copy enclosed).
- F Please disclose the name and designation of your officer who is accountable to reply of my legal notice dated 04-10-2013 (Copy enclosed).
- G Is it correct that till today no reply has been given by your department to my legal notice dated 04-10-2013 (Copy enclosed), in view of law lay down by the Hon'ble Supreme Court of India in case title Salem Advocate Bar Association Versus U.O.I. reported in A.I.R. 2005 SC 3353.



- H. Is it correct that till today Sh. D Deepti Vilas, Vice Chairman, DDA has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- I. Is it correct that till today Sh. Sunil Kumar Gulati, Chief Vigilance Officer, DDA has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- J. Is it correct that till today Sh. Sanjeev Mittal, Director Land, DDA has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- K. Is it correct that till today Sh. Tapan Jha, Deputy Director (Institutional Land) DDA has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- L. Is it correct that till today Sh. S. N. Gupta, Director Residential Land) DDA has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- M. Is it correct that till today the nodal officer of Ministry of Home Affair has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- N. Is it correct that till today the nodal officer of Ministry of Personnel and Training has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).



Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- O. Is it correct that till today the nodal officer of Ministry of Urban Development has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- P. Is it correct that till today the nodal officer of Department of Administrative Reform and Public Grievance having officer at : Sardar Patel Bhawan, Delhi has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- Q. Is it correct that till today the nodal officer of Directorate of Public Grievance, Cabinet Secretariat having officer at : Sardar Patel Bhawan, Delhi has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- R. Is it correct that till today the nodal officer of Central Vigilance Commission having officer at : INA, Satarkta Bhawan, Delhi has not given the reply to my legal notice dated 04-10-2013 (copy enclosed).

Please provide this information in detail.

If no, then kindly provide the copy of such reply.

- S. Please disclose the name of nodal officer who shall be personally accountable on behalf of Ministry of Home Affair if the reply to my legal notice dated 04-10-2013 shall not be given.

- T. Please disclose the name of nodal officer who shall be personally accountable on behalf of Ministry of Personnel and Training if the reply to my legal notice dated 04-10-2013 shall not be given.

- U. Please disclose the name of nodal officer who shall be personally accountable on behalf of Ministry of Urban Development if the reply to my legal notice dated 04-10-2013 shall not be given.

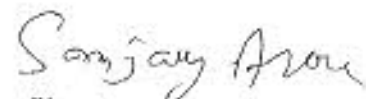
- V. Please disclose the name of nodal officer who shall be personally accountable on behalf of Department of Administrative Reform and



Public Grievance having officer at : Sardar Patel Bhawan, Delhi if the reply to my legal notice dated 04-10-2013 shall not be given.

- W. Please disclose the name of nodal officer who shall be personally accountable on behalf of Directorate of Public Grievance, Cabinet Secretariat having officer at : Sardar Patel Bhawan, Delhi if the reply to my legal notice dated 04-10-2013 shall not be given.
- X. Please disclose the name of nodal officer who shall be personally accountable on behalf of Directorate of Central Vigilance Commission having officer at : INA, Satarkta Bhawan, Delhi if the reply to my legal notice dated 04-10-2013 shall not be given.
48. I state that the information sought does not fall within the restriction contained in section 8 of the Act and to the best of my knowledge it pertain to your office.
15. A postal order of Rs.10/- is enclosed as requisite fees under Right to Information Act 2005.

Delhi:
Dated: 10/10/13


Signature of Applicant