

F.No.14039/73/2013-UTS.I
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001
Dated the 29 November, 2013

ORDER

Sh. Hemu Gautam has preferred an appeal dated 11.11.2013 stating that he has been furnished wrong information in r/o Query no. 4(b) of his RTI application dated 24.07.2013.

2. Sh. Hemu Gautam in his application dated 24.07.2013 (received in UTS-I desk, MHA through PIO- Cum Nodal Officer, PHQ, New Delhi, vide letter dated 04.10.2013 for furnishing reply on point no (b)) to which the CPIO vide this ministry's letter dated 04.11.2013 had provided the relevant reply to the applicant informing that "no such complaint has been received in UTS-I desk of MHA".

3. The appeal filed by Sh. Hemu Gautam has been carefully considered and it is found that the aforesaid reply of the CPIO with reference to his RTI application dated 24-07-2013 are in conformity with the Right to Information Act, 2005

4. The appeal is accordingly disposed of.

(I. S. Chahal)
Joint Secretary (UT) &
Appellate Authority

28/11/13

To
Sh. Hema Gautam,
B-10/257, Brij Puri,
Delhi-110094

o/c

जारी किया/ISSUED
हस्ता/sgd
दिनांक/Date 02/12/13

CR-195152/JS/UTD/13
12/11

(11)

OP No. 2488-RTI
Date: 13/11/2013

Appeal u/s 19(1) of the RTI Act, 2005

To

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

JS/UTD
I.S.

↓
13/11/13

1.	Name of the Appellant	HEMU GAUTAM	
2.	Address of the Appellant	B-10/257, BRIJ PURI DELHI-110094	
3.	Mobile No. of the Appellant	9953212435	
4.	Particulars of the Central Public Information Officer, against whose Appeal is Preferred	(a) Name	ANUJ SHARMA
		(b) Address	The Director (S) and CPIO Ministry of Home Affairs, UTS-1 Desk North Block, New Delhi-110001
5.	Date of Submit of RTI Application	24-07-2013	
6.	Detail of the Decision of the CPIO	CPIO Order No. 14039/73/2013-UTS-1, Dated 04-11-2013	
7.	Details of action/activity appealed against	Wrong information is provided by the CPIO in respect of query no. 4(b) of the RTI Application dated 24-07-2013.	
	Prayer or relief sought	See prayer clauses at the end of appeal.	
	If appeal is being filed after the reasonable time, the reasons which prevented to filing appeal in time	Appeal in time	
4.	Documents of documents relied by the appellant	1. Copy of RTI Application dated 24-07-2013 (Annexure-1) 2. Copy of the PIO, North East District Police dated 26-09-2013 regarding transfer the RTI Application dated 24-07-2013 (Annexure-2) 3. Copy of the APIO, PHQ dated 04-10-2013 regarding transfer the RTI Application dated 24-07-2013 (Annexure-3) 4. Copy of the order of the CPIO, Ministry of Home Affairs dated 04-11-2013 (Annexure-4)	

5. RT

Date
Place

5. Copy of Newspaper dated 27-06-13 (Annexure-5)

16

Brief facts of the Case & Ground for the Appeal

1. That the appellant had submitted an application dated 24-07-13 (*Copy enclosed as Annexure-1*) through the hand on 25-07-2013 with the PIO, North East District Delhi Police under the Section 6 of the RTI Act, 2005 requesting for providing the information as specified in Annexure-1.
2. That the PIO, North East District Delhi Police vide their order dated 26-09-2013 was transferred my RTI Application to the PHQ regarding query no. 4(b) (*Copy enclosed as Annexure-2*) and latter the APIO, PHQ vide their order dated 04-10-2013 further transferred the same RTI Application dated 24-07-2013 to the concerned CPIO, Ministry of Home Affairs, North Block (*Copy enclosed as Annexure-3*). After this the CPIO, Ministry of Home Affairs, North Block vide their order No. 14039/73/2013-UTS.1, dated 04-11-2013 (*Copy enclosed as Annexure - 4*) had provided the wrong information in respect of query no. 4(b) as sought by me vide my RTI Application dated 24-07-2013. The CPIO had stated in their order dated 04-11-2013 that "no such complaint has been received in UTS-1 desk of MHA".
3. That the appellant had seen in the Newspaper – Hindustan dated 27-06-2013 (Hindi) (*Copy enclosed as Annexure - 5*) about the malfunctioning of the Addl. DCP, North East Delhi Police on which our Metropolitan Magistrate, Karkardooma Court had sent their letter along with directions to the Ministry of Home Affairs, North Block for taking the action against the Addl. DCP, North East. So the appellant had filed the RTI Application for the purpose of knowing the action that "*Whether the Ministry of Home Affairs has taken the action against the Addl. DCP and other Officer of the Police Department of the North East District Police on the complaint of the Metropolitan Magistrate honestly or not?*". This disclosure of the information is required.

Prayer:

4. That the disciplinary action u/s 20(2) of the RTI Act, 2005 be taken against the CPIO for not providing the information in respect of query no. 4(b) of the RTI Application dated 24-07-2013.
5. That the PIO be directed to provide the information as sought by me vide query no. 4(b) of the RTI Application dated 24-07-2013.

Hemraj Kumar

Signature of the Appellant

Date : 11-11-2013

Place : Delhi