

Ok (71)

F. No. 14039/34/2013-UTS.I  
Government of India  
Ministry of Home Affairs

North Block, New Delhi-110001

Dated the 16<sup>th</sup> September, 2013

ORDER

Sh. J K Sharma has preferred an appeal dated 17.06.2013 stating that he has not been supplied the complete requisite information to his two RTI applications dated 17.06.2013.

2. The CPIO vide this Ministry's letter dated 13<sup>th</sup> August, 2013 provided the complete relevant information as available to the applicant.

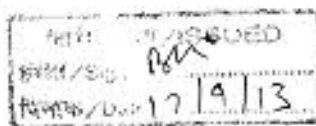
3. The appeal filed by Sh. J K Sharma has been carefully considered and it is found that the aforesaid reply/decision of the CPIO with reference to his two RTI applications dated 17-06-2013 is in conformity with the Right to Information Act, 2005.

4. The appeal is accordingly disposed of.

  
(Iqbal Singh Chahal)  
Joint Secretary (UT) &  
Appellate Authority  
Tel:23092630

To

Sh. J K Sharma, IPS  
Flat No. 1, Type-V DCP/South office Complex  
Hauz Khas,, New Delhi-110002



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2398-RTI  
Date 29/08/2013

Dated : 26.08.2013

UTS-1  
Dy. No. 131-RTI  
Date 30/8/13

To  
JS (UT)  
Dw (S)

The 1st Appellate Authority,  
Joint Secretary (UT), Ministry of Home Affairs,  
North Block, New Delhi-110001.

महानिदेशक  
Ministry of Home Affairs  
नई दिल्ली/New Delhi-1  
26 AUG 2013  
फैलिंग नं०... 155060  
आफ नं०...  
सो.अ.ए. अनुभाग/सोई ऑफिस/CR Section/CR

Subject:- Appeal under RTI Act, 2005.

Respected Sir,

Under the relevant provisions of the above act, the applicant has requested the PIO, MHA, North Block, New Delhi through his two applications dated 17.6.13 (copies enclosed) seeking certain information/documents, but the PIO, MHA despite accepting of Rs.28/- as fee of the documents sought(copy enclosed), failed to provide the complete information deliberately and intentionally. Hence the applicant has no other alternative except to appeal before your goodself with the request to direct the PIO, MHA to provide the complete information, as requested by the appellant and again requested at Col. No.4 below, free of cost, as he had failed to provide the same :-

Spd  
Sof/UTS  
S.P. Dixit  
21/08

S.No.	Information sought by the applicant	Information provided by PIO, MHA	Information not provided by PIO, MHA
1.	2.	3.	4.
1.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken on representation dt.18 <sup>th</sup> April,13 submitted by the applicant.	Not completely provided.	The notings put up before the H.M. is not provided.
2.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken on the defence statements dt.11.12.10 as well as supplementary defence statement dt.2.1.11 submitted by the applicant	Not provided. <i>No noting found</i>	Not provided.
3.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken/action on the judgement dt.3.2.11 passed by the Hon'ble CAT in O.A. 239/11.	Notings provided but this notings is only for the approval of H.M. for appointment of Sh. S.P. Dixit, IAS:99 as Presenting Officer in place of Sh. R.M.	The decision taken by H.M. at para 8 (i) & (iii) of the Note Sheet is not provided. <i>P-10, 9, 8, 7</i>

		Pillai.	
4.	Copy of the speaking order passed by the MHA in compliance of the judgement dt.3.2.11 passed by the Hon'ble CAT in O.A. 239/11	Not provided. <i>No speaking order passed</i>	Not provided.
5.	Copies of all the documents including note sheets pertaining to RDA in respect of the applicant	The information provided by the MHA on 15.11.10 is incomplete information, whereas the applicant has requested to provide the copies of all the notings/documents of the file of RDA of the applicant.	Complete information may be provided. The applicant is ready to pay the fee under the rules.
6.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken on the representation dated 14.12.11 submitted by the applicant	Copy of note sheet dt.22.12.11 to 27.12.11 has been provided, whereas the complete note reg. decision taken by the competent authority i.e. H.M. has not been provided.	The decision taken by the H.M. on my representation dt. 14.12.11 may be provided.
7.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken on the representation dated 12.9.12	Incomplete information has been provided.	Please provide complete information and all the decisions taken in this regard by H.M.
8.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken on the representation dated 6.12.12.	Incomplete information provided.	Decision taken by the H.M. may be provided.
9.	Certified copy of note sheets containing noting from lowest functionary to the highest functionary in c/w decision taken on the representation dated 9.1.13 submitted by the applicant. (P. 263) 14.12.11/12/13	Not provided. <i>Combined Representation processed all provided</i>	Not provided.
10.	Certified copy of note sheets containing noting from lowest	Incomplete information provided	The notings put up before the members

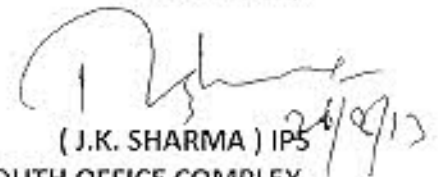
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	functionary to the highest functionary in c/w decision taken on the representation dated 17.4.13 submitted by the applicant.	upto decision taken by J.S.(U.T.). The notings put up before DPC/H.M. is not provided.	of the DPC or on the notings of the MHA upto the highest functionary i.e. H.M. is not provided.
11.	Certified copy of note sheets vide which judgement dated 11.4.13 submitted by the applicant through his representation dt.17.4.13 was put up before the members of the DPC or on the notings of the MHA in the file of promotion from lowest functionary to the highest functionary.	Incomplete information provided upto decision taken by J.S.(U.T.). The notings put up before DPC/H.M. is not provided.	The notings put up before the members of the DPC or on the notings of the MHA upto the highest functionary i.e. H.M. is not provided.
12.	Certified copy of the MHA's notings of the promotion case of the applicant, which was put up for consideration before the DPC held on 21.3.13 and 18.4.13	Not provided <i>Not put up before DPC</i>	Not provided.
13.	Certified copies of notings, rules/instructions which were considered in the promotion case of the applicant at the time of DPC's held in Nov. 2010 and onwards.	Not provided. <i>Same above</i>	Not provided.

In view of the above, it is requested that the complete information, as requested above, may kindly be provided to the applicant as early as possible, under RTI Act, 2005. The applicant is also ready to bear necessary expenditure for providing the notings/documents etc. as requested above.

Thanking you,

Yours faithfully,

  
( J.K. SHARMA ) IPS

FLAT NO.1 TYPE-V, DCP/SOUTH OFFICE COMPLEX,  
HAUZ KHAS,  
NEW DELHI-110016.

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To,

The P.I.O.  
Ministry of Home Affairs,  
North Block,  
New Delhi.

Subject:- Application seeking certain information under the provisions of RTI Act, 2005.

Sir,

Under the relevant provisions of the above act, I seek the following information/documents. The applicant is willing to bear necessary expenditure for the same and the under-signed believes that none of the documents in the said file, forms the subject matter of the exception/exemption, provided u/s 8 of the RTI Act.

1. Please provide the date and diary number of MHA in respect of the receipt of representation dated 18<sup>th</sup> April 2013.
2. Please provide the certified copy of note sheets containing notings from lowest functionary to the highest functionary in connection with decision taken on the representation dated 18<sup>th</sup> April 2013 submitted by the undersigned.
3. Please provide the date and diary number of MHA in respect of the receipts of defence statement dated 11.12.10 as well as supplementary defence statement dated 2.1.11.
4. Please provide the certified copy of note sheets containing notings from lowest functionary to the highest functionary in connection with decision taken on the defence statements dated 11.12.10 as well as supplementary defence statement dated 2.1.11 submitted by the undersigned.
5. Please provide the date and diary number of MHA in respect of the receipt of the judgement dated 3.2.11 passed by the Hon'ble Central Administrative Tribunal in O.A. 239/11.
6. Please provide the certified copy of note sheets containing notings from lowest functionary to the highest functionary in connection with decision taken/action taken on the judgement dated 3.2.11 passed by the Hon'ble Central Administrative Tribunal in O.A. 239/11.

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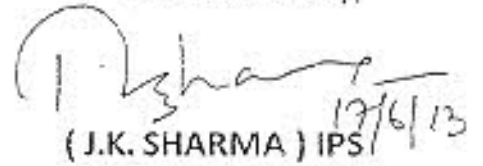
7. Please provide the copy of the speaking order passed by the MHA in compliance of the judgement dated 3.2.11 passed by the Hon'ble Central Administrative Tribunal in O.A. 239/11.
8. Please provide the copies of all the documents including note sheets pertaining to the RDA in respect of the under-signed.

The application fee of Rs.10/- as prescribed under RTI Act, 2005 has been deposited vide receipt No. \_\_\_\_\_ dated \_\_\_\_\_. The applicant is also willing to bear necessary expenditure for providing the notings/documents as requested above.

Thanking you,

Yours faithfully,

ofc

  
17/6/13

(J.K. SHARMA) IPS

FLAT NO.1, TYPE-V DCP/SOUTH OFFICE  
COMPLEX, HAUZ KHAS,  
NEW DELHI-110016