

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

North Block, New Delhi-110001

Dated the 17th June, 2013

To

Sh. J K Sharma, IPS
Flat No. 1, Type-V DCP/South office Complex,
Hauz Khas,, New Delhi-110016

Sub: Application under RTI Act, 2005-Regarding

Sir,

With reference to your RTI Application dated 20.05.2013, it is informed that queries like "why", "what", "whether", are not covered under the domain of information under the RTI Act, 2005. You may refer the order dated 21.04.2006 passed by the Central Information Commission in the matter of Dr. D.V. Rao Vs Shri Yashwant Singh and another whereby the aforesaid view was upheld by the Commission

2 The designated 1st Appellate Authority against this decision is as follows

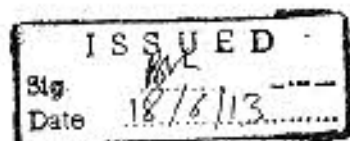
Shri K. K. Pathak
Joint Secretary (UT)
Ministry of Home Affairs
North Block, New Delhi-110001

Yours faithfully,



(S. K. Jain)
Director (S) and CPIO

o/c



3255/RTI/2013
22.05.13

dt. 20/5/13

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. Whether it is fact that a representation dated 18th April 2013 was submitted by the under-signed to Sh. S.K. Jain, Director (Services), MHA wherein the applicant has intimated that the Hon'ble Central Administrative Tribunal (PB) vide its order dated 11.2.13 has ordered that no date for disciplinary proceedings be fixed till the counter reply in the O.A. is filed, was received in MHA. Please reply either 'Yes' or 'No'
2. If 'Yes', then intimate what action was taken by the MHA. Whether any directions to the Inquiring Authority was issued or directed not to fix the date for disciplinary proceedings till the counter reply in the O.A. is filed. If 'no' then what are the reasons behind it? Please provide the copies of all note sheets/documents in this regard.
3. Whether it is fact that the under-signed has submitted his defence statement dated 11/12/10 as well as supplementary defence statement dated 2/1/11 to the MHA clearly mentioning therein that out of 23 alleged transactions, 13 alleged transactions pertaining to his wife from her own funds and resources and not required to be intimated to the department in view of the provisions of Rule 16 of All India Services (Conduct) Rules 1968, 07 intimations have already been accepted by the competent authorities and rest of 03 intimations are not covered under these rules. If so, what action was taken on these statements? Please provide the copies of all

(Services)

note sheets/records from the date of their submission to the date of their decision.

4. Whether it is fact the Hon'ble Central Administrative Tribunal vide its judgement dated 3/2/11 in O.A. 231/11 had clearly directed the MHA to examine all the issues/points raised by the under-signed through his representations as well as defence statement/supplementary statement and pass speaking orders. If so, please intimate whether speaking orders were passed by the MHA on the defence statement/supplementary defence statement in order to comply the directions of the Hon'ble Tribunal. If not, what were the reasons for non compliance? Please provide the copies of note sheets/documents in this regard.
5. Whether it is fact that the under-signed has raised his genuine grievances through various representations since long, but these grievances were ignored without any justifications. In order to know about the examination and decisions taken in this regard by the competent authorities, it is requested to 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,


20/5/13

(J.K. SHARMA) IPS
FLAT NO.1, TYPE-V DCP/SOUTH OFFICE
COMPLEX, HAUZ KHAS,
NEW DELHI-110016