

F. No. 14039/26/2012-UTS.I
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001
Dated the 12th Feb, 2014

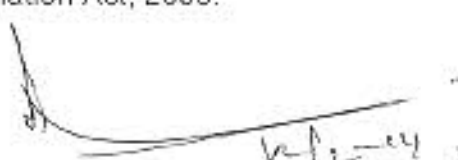
ORDER

Sh. P Karthikeyan has preferred an appeal dated 23.01.2014 stating that he has not been furnished the requisite information of his RTI application dated 27.09.2013.

2. Sh. P Karthikeyan vide his RTI application dated 27.09.2013 (which was finally received in UTS desk on 19.11.2013 through Asstt. Press Registrar /CPIO letter dated 25.10.2013 with all enclosures) sought information regarding Present stage and status of his Petition dated. 23/25.03.2013 addressed to JS(UT),MHA and petition dated 17.08.2013 addressed to HM to which the applicant was replied vide this ministry's letter dated 17.12.2013 within the stipulated time that "the petition dated 23/25.03.2012 was received and your petition dated 17.08.2013 was not received in the UTS.I desk, MHA. However, cognizance of the complaints received has been taken and the matter is under examination in MHA. Further details cannot be divulged at this stage since this may impede the process of Investigation as specified in section 8(1) (h) of the RTI Act, 2005"

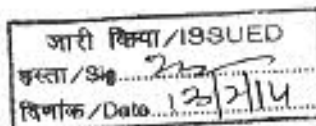
3. The appeal filed by Sh. P Karthikeyan has been carefully considered and it is found that the aforesaid reply of the CPIO with reference to his RTI application dated 27.09.2013 is in conformity with the Right to Information Act, 2005.

4. The appeal is accordingly disposed of.


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

To
Shri P. Karthikeyan (Advocate 1),
First Street, Thirumudi Nagar,
Puducherry-605001.

o/c



FORM-4

FIRST APPEAL UNDER SECTION 19 OF THE RIGHT TO INFORMATION ACT,
2005

I.D.No.

✓ Name of the First Appellate Authority : Shri.I.S.Chahal
Designation of the First Appellate Authority: Joint Secretary (UT)
Address of the First Appellate Authority : Ministry of Home Affairs,
North Block, Govt. of India,
New Delhi-110001

1.Name of the Appellant : P.Karthikeyan M.A. M.Ed., B.L.,
2. Address Advocate,
No.1, First street,
Thirumudi Nagar,
Puducherry-605 001

3. Particulars of the CPIO against whose order
appeal is preferred: a) Name : Thiru. Anuj Sharma
b) Address: Director (S)-cum- C P I O
Ministry of Home Affairs (U T S-1)
North Block, Central secretariat,
Govt. of India,
New Delhi-110 001

4. Date of submission of application : 27.09.2013 (copy enclosed)

5. Brief facts leading to appeal:

a) Aggrieved by cryptic and non-speaking response Dtd.17.12.2013 of the
P I O delivered on 22.12.2013

b) Grounds for appeal:

i) I requested above named C P I O-cum- Director (S) to furnish
Certified copy of entire note file and correspondences pertaining to my
petition Dtd. 23/25.03.2013 addressed to Joint Secretary (UT) MHA
and

petition dtd.17.08.2013 addressed to the Hon' ble Home Minister
G O I requesting action against Mr. Chandra Mohan I A S, former C V O-
cum-C.S & Mr. B. Vijayan I A S former Health Secretary, Govt. of
Puducherry and

to Specify details of action taken against the former corrupt and dishonest Chief secretary-cum-Chief Vigilance Officer Mr. Chandra Mohan I A S & former Health Secretary Mr. B. Vijayan I A S, who had misused their official position and power to protect a criminal public servant from legal punishment by way of passing resolution in favour of criminal when the W.P filed by her was pending before High Court for the past 2 ½ years and thereby caused wrongful loss to public money and wrongful gain to the accused.

ii) Whereas, above named C P I O declined to disclose information stating that **cognizance of the complaints received has been taken and the matter is under examination in M H A. Further details cannot be divulged at this stage since this may impede the process of investigation as specified in Section 8 (1) (h) of the R T I Act, 2005.**

iii) I state that above contention of C P I O is not correct. I submit that since M H A has not taken action properly and speedily, former Chief Secretary Mr. Chandramohan was allowed to retire from service on superannuation without punishment and another culprit B. Vijayan I A S may also escape from punishment by retiring from service after one year. Since M H A has been playing hide and seek in respect of the petitions lodged against him, I was constrained to seek information in the above said matters under R T I Act. I feel, only because of my R T I Application those matters have been taken cognizance.

iv) I submit that since I am the complainant in the above said matters and since I am interested that the actual culprits should be dealt with severely, if the available information is disclosed to me, definitely I can only help the investigating/scrutiny officers by pointing out lacunae, if any, in the investigation/ scrutiny process and may also put forth my suggestions to improve and develop the case in the proper perspective and I won't impede the process under consideration.

6. Prayer or relief sought:

Appellate authority may be pleased to direct the C.P.I.O. to furnish proper and appropriate information requested for, free of charge and also cause to initiate disciplinary action against P I O for having failed to furnish information within the statutory period of one month as contemplated under section 20 (1) of the R T I Act.

7. Last date for filing the appeal : 23.01.2014

**8.If appeal is being filed after 30 days,
the reason which prevented from
filing appeal in time:**

Not applicable. If any delay, it may please be condoned.

9. Copies of documents relied upon by the applicant:

- i) **Application dt.** 27.09.2013
- ii) **Reply Dtd.** 17.12.2013 delivered on 22.12.2013 (abnormal delay)

Place: Puducherry

Date: 23.01.2014


Signature of the Appellant

P. KARTHIKEYAN, M.A., M.Ed., B.L.
ADVOCATE
No.1, First Street, Thirumudi Nagar,
PONDICHERRY-605 001.
Ph : 2343319, Cell : 94438-70099

Encl: Two