

By Speed Post
RTI MATTER

No. VI.23014/87/2014-VS
Government of India
Ministry of Home Affairs
(PP Division)

NDCC-II Building, 3rd Floor,
Jai Singh Road,
New Delhi-110001, dated: 26th May, 2014

To

Shri Bharat Gandhi,
402, New Lawyers Chamber, Bhagawan Das Road,
Supreme Court,
New Delhi-110001.

Subject:- First Appeal under the RTI Act-2005-reg.

Sir,

Please refer to your letter dated 07.04.2014 and First Appeal dated 05.05.2014 received in this unit on 22.04.2014 and 15.05.2014 respectively.

2. In this regard, it is stated that your RTI application dated 05.02.2014 forwarded to this Unit vide RTI Cell, MHA OM No.A-43020/01/2014-RTI dated 14.03.2014 was examined and a reply in this regard was sent to you vide letter dated 09.04.2014.

3. With reference to grounds cited in your First Appeal, the point-wise reply is as under:

Para 1 and 2: The correspondence exchanged and details of decision taken while examining requests for security are not communicated to the individual concerned as inputs from security agencies which forms basis for examination of such requests, are exempted under Section 24(1) of the RTI Act-2005. Mere requesting the State Government to assess threat and provide security does not imply that threat to the individual exists. In such a case, threat is to be assessed by the concerned State Government based on local conditions.


Para 3 and 4: Security is provided on the basis of assessment of threat for an individual irrespective of the fact whether such individual is a government functionary or not. Further, the responsibility for providing security to an individual is primarily that of the State Government in whose jurisdiction such individual is ordinarily resident or happens to be. Central Forces are deployed for the security of individuals in exceptional case having regard to the nature and level of threat as assessed by the Central Security Agencies.

Para 5: As regards the communication sent by this Ministry to the State Government of Uttar Pradesh, it is a confidential document and refers to inputs by the Central Security Agencies, which are exempted under Section 24(1) of the RTI Act-2005. Therefore, it is not possible to provide you copy of the said communication.

Para 6: As per Section 24(1) of the RTI Act-2005, intelligence and security agencies specified in Second Schedule are exempt from the provision of RTI Act-2005 and therefore inputs from such agencies cannot be disclosed.

4. Your First Appeal is accordingly disposed of.


Yours faithfully,


(Suresh) 26/5/14

Joint Secretary (PP & VS) & Appellate Authority

Copy to: ✓ Shri S. Samanta, Under Secretary, RTI Cell, MHA, North Block, New Delhi along with a copy of First Appeal of Shri Bharat Singh for disclosure on web site.

Pl. write to JSPP ~~re~~ referring our o.m. that they will send a copy to SOIT for uploading in MHA website.


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SO(PIT)

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From,

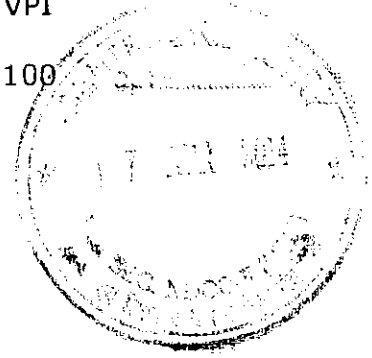
Bharat Gandhi,

Residence: Author, Statesman, Political Reformer
And Policy Director of Voters Party International, VPI
218 /7 Friends Enclave, Sultanpuri Road,
New Delhi-110086, Mb.: 9818433422, 09651991100
Email:votership@gmail.com

Office- 402 New Lawyers Chamber,
Bhagawan Das Road,
Supreme Court, New Delhi-110001

To,

Joint Secretary (PP),
Union Ministry of Home Affairs,
NDCC Building, Jai Singh Road,
New Delhi



Date:- 07th April. 2014

Sub: Information under R.T.I. Act, 2005 regarding action taken report on the representation of undersigned dated 14.10.2013 submitted for deploying central forces in the personal security of applicant and anr.

Dear Sir/Madam,

The Undersigned submits as under:

1. That the abovementioned Application under RTI Act was submitted to the office of the PIO of UMHA North Block on 05/02/2014.
2. That the said office informed the applicant/undersigned vide its letter No.- A.43020/01/2014-RTI dated 14/03/2014 that the application mentioned above is forwarded for action appropriate. The said letter received from the office of the MHA is enclosed here with for ready reference of your public office.
3. Kindly inform within time that what action is taken on said representation dated 14/10/2013 of undersigned.

Kindly be pleased to send following information on above address.

Signature of Applicant

(Bharat Gandhi)

Place: New-Delhi
Date: 07.04.2014
Encl.- As above.

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