

No.A-43020/61/2013-RTI  
Government of India/भारत सरकार  
Ministry of Home Affairs/गृह मंत्रालय

To be issued in Hindi  
RTI MATTER/TIME BOUND

\*\*\*\*\*

New Delhi, dated the 28<sup>th</sup> May, 2014.

ORDER

**Sub:** First Appeal made by Shri Maniram Sharma under the RTI Act, 2005

Whereas Shri Mani Ram Sharma vide his online RTI application No. MHOME/R/2014/60947 dated 15/04/2014 had sought information regarding action taken on the suggestions given by him to the various Public Authorities like Hon'ble Home Minister, The President of India, Hon'ble Prime Minister on various subjects like 'Decision making and performance appraisal in MHA', 'Police reforms and reports', 'Implementation of Model Prison Manual', 'Protection of Human rights in India' etc.

2. Whereas, CPIO vide his reply dated 13/05/2014 had already forwarded his application to the CPIOs concerned of this Ministry.

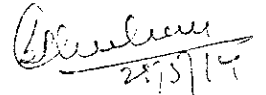
3. Whereas, having not satisfied with the reply given by the CPIO as above, the appellant has preferred first appeal No. MHOME/A/2014/60166 dated 20/05/2014.

4. Whereas, it is informed that the CPIO had tried to address all the issues raised and forwarded to the CPIOs concerned wherever possible. The appellant requested for information regarding action taken on the suggestions given by him to the various Public Authorities. The disposal of his RTI application is required the confirmation of movement of the said suggestions from nodal receiving points of this Ministry. Since, it will take time; therefore, nodal CPIO forwarded his RTI application to the CPIOs on the basis of forwarding of his earlier requests on the same subjects.

5. Further, online RTI applications are required to be forwarded to the CPIOs online as per practice. However, the said RTI application of the appellant could not be forwarded to the CPIOs concerned online because he had enquired of many subjects dealt with by different CPIOs and other authorities which cannot be forwarded online. Therefore, it was sent to CPIOs concerned through physical form which took time.

6. In view of the above, reply provided by the CPIO is in order. However, it is observed that the appellant had been filing many RTI applications on the same subjects for the last one and half years. He is at liberty to visit this Office at a mutually convenient time if he likes to put forth his point of view personally, if any, on these subjects.

7. The appeal is accordingly disposed of.



(Satpal Chauhan)  
Joint Secretary(Admn.)

Tel. No. 23093178

Shri Maniram Sharma,  
'Nakul Niwas' Behind Roadways Depot  
Sardarshahar- 331 403  
Distt.Churu  
Rajasthan.

✓ Copy to SO(IT Cell) for uploading the RTI application, appeal and reply in the MHA website with search facility based on key words under the heading-RTI Act- Information under 4(1)(b) of the Act.

## RTI REQUEST DETAILS

**Registration No. :** MHOME/R /2014/60947  
**Date of Receipt :** 15/04/2014  
**Type of Receipt :** Online Receipt  
**Language of Request :** English  
**Name :** MANIRAM SHARMA  
**Gender :** Male  
**Address :** BEHIND ROADWAYS DEPOT, SARDARSHAHAR, DIST CHURU RAJ, Pin:331403  
**State :** Rajasthan  
**Country :** India  
**Phone No. :** +91-1564224652  
**Mobile No. :** +91-9460605417  
**Email :** maniramsharma@gmail.com  
**Status(Rural/Urban) :** Not Provided  
**Education Status :** Not Provided  
**Is Requester Below Poverty Line ? :** No  
**Citizenship Status :** Indian  
**Amount Paid :** 10  
**Mode of Payment :** Payment Gateway  
**Mode(s) of information Supply :** Hard Copy  
**Request Pertains to :** Yet to be assign to CPIO

As per attachment--

**Information Sought :** Please Note- Para 142 of Central Secretariat Manual of Procedure says, Purpose of office automationThe slow age old snail mail is on the way out. Use of labour- and-time saving modern office equipments in the disposal of business in Government departments is now in vogue to facilitate faster processing and delivery of quality information, accurate analysis of facts and figures, higher efficiency and productivity, and elimination of fatigue etc. arising from performing repetitive jobs manually. For reasons of economy, however, a judicious selection of the most appropriate machine/mode e.g. using e-mail over fax/phone should be made. Therefore please expedite the information/reply per email to promote promptness, austerity and eco-friendliness.

Also be noted- RTI Guide 2013 issue by DOPT says-It is possible that in a public authority with more than one Public Information Officer, an application is received by the Public Information Officer other than the concerned Public Information Officer. In such a case, the Public Information Officer receiving the application should transfer it to the concerned Public Information Officer immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one Public Information Officer to another in the same public authority.

महोदय ,

कृपया मुझे निम्नांकित सूचनाएँ प्रदान करने का श्रम करें :-

- US (P) (M)
1. मेरे सन्देश Dated 24.09.2013 प्रसंग - DECISION MAKING AND PERFORMANCE APPRAISAL OF MINISTRY OF HOME AFFAIRS पर की गयी टिप्पणियों की प्रति
2. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
3. मंत्रालय को मेरे सन्देश Date: 27.05.13 प्रसंग - POLICE REFORMS AND REPORTS पर की गयी टिप्पणियों की प्रति
4. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
5. मेरे सन्देश प्रसंग - स्वप्रेरणा से प्रकटन - धारा 4 की अनुपालना - दिनांक 04.11.13 पर की गयी टिप्पणियों की सत्यापित प्रति
6. मेरे सन्देश प्रसंग - DECISION MAKING AND PERFORMANCE APPRAISAL OF MINISTRY OF HOME AFFAIRS दिनांक 24st Sep, 2013 पर की गयी टिप्पणियों की सत्यापित प्रति
7. मेरे सन्देश प्रसंग - पारदर्शी एवं स्वच्छ शासन - सूचना का अधिकार- अधिकारियों की शक्तियों का प्रकाशन दिनांक 05.09.2013 पर की गयी टिप्पणियों की सत्यापित प्रति
8. प्रधानमन्त्री कार्यालय के माध्यम से मेरे सन्देश दिनांक 14.12.2012 प्रसंग IMPLEMENTATION OF MODEL PRISON MANUAL- पर की गयी कार्यवाही
9. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
10. उक्त सन्देश पर की गयी टिप्पणियों की सत्यापित प्रति
11. उक्त सन्देश के सन्दर्भ में प्रेषित एवं प्राप्त पत्रों की सत्यापित प्रतियाँ
12. मेरे सन्देश Dated 04.02.2013 प्रसंग - REPLACEMENT OF PRISONS ACT, 1894 पर की गयी टिप्पणियों की प्रति
13. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
14. मंत्रालय को सन्देश Date: 27.05.13 प्रसंग - PROTECTION OF HUMAN RIGHTS IN INDIA - AMENDMENT TO LAW पर की गयी टिप्पणियों की प्रति
15. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
16. निम्नांकित खण्डों/ संभागों में कार्यवाही के लिए विधि आयोग की आज तक कौन-कौन सी की रिपोर्टें प्राप्त हुई हैं , उन समस्त के विवरण प्रदान करें :
- क . Centre-State Division
- DS (HR)

- ख. Coordination Division
- ग. Human Rights Division
- घ. Internal Security Division
- ङ. Judicial Division
- च. Police Modernisation Division

*J.S. Anand*

- J.S. Anand*
- DISPATCH*
17. Prevention of Torture Bill पर राज्य सरकारों से प्राप्त अभिमत की प्रतियां
  18. मेरे सन्देश दिनांक 22.12.2012 प्रसंग लोक अभियोजन पणाली में सुधार हेतु- पर की गयी कार्यवाही
  19. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
  20. उक्त सन्देश पर की गयी टिप्पणियों की सत्यापित प्रति
  21. उक्त सन्देश के सन्दर्भ में प्रेषित एवं प्राप्त पत्रों की सत्यापित प्रतियां
  22. मेरे सन्देश दिनांक 15.10.2013 प्रसंग RULE OF LAW IN POLICE DEPARTMENT- पर की गयी कार्यवाही
  23. उक्त को मंत्री महोदय के समक्ष रखने की तिथि
  24. उक्त सन्देश पर की गयी टिप्पणियों की सत्यापित प्रति
  25. उक्त सन्देश के सन्दर्भ में प्रेषित एवं प्राप्त पत्रों की सत्यापित प्रतियां
  26. मेरे सूचनार्थ आवेदन संख्या 13HOME/R-2013/61878 दिनांक 29.11.13 पर श्री वी के राजन , जन सूचना अधिकारी, संयुक्त सचिव (जे) , निदेशक( एस आर ) ,निदेशक (पी एम आर) ,उप सचिव (मानवाधिकार ) ,संयुक्त सचिव(मानवाधिकार), संयुक्त सचिव( समन्वय ), संयुक्त सचिव(आंतरिक सुरक्षा- प्रथम ), संयुक्त सचिव(आंतरिक सुरक्षा- द्वितीय ), संयुक्त सचिव( पी एम ), संयुक्त सचिव( राजभाषा ), संयुक्त सचिव( केंद्र -राज्य ) -- द्वारा की गयी कार्यवाही का विवरण
  27. उक्त आवेदन का निर्धारित समय सीमा में जवाब न देने के लिए जिम्मेदार अधिकारियों के नाम
- J.S.*

## RTI APPEAL DETAILS

**RTI Appeal** MHOME/A  
**Registration No. :** /2014/60166  
**RTI Appeal Received** 20/05/2014  
**Date :**

**RTI Request** MHOME/R  
**Registration No. :** /2014/60947  
**RTI Request** 15/04/2014  
**Registration Date :**

**Name :** MANIRAM SHARMA  
**Gender :** Male

**Address :** BEHIND ROADWAYS DEPOTSARDAR SHAHARDIST  
CHURU RAJ

**Pin Code :** 331403

**State :** Rajasthan  
**Country :** India

**Phone :** +91-1564224652  
**Mobile No :** +91-9460605417

**Email :** maniramsharma@gmail.com

**Status :** Details not provided  
**Educational Status :** Details not provided.

**Citizenship :** Indian  
**Is Appellant below poverty line ? :** No

**CPIO of Public Authority Approached :** Details not provided  
**CPIO's Order/Decision Date :** Details not provided

**CPIO's Order/Decision No. :** Details not provided

**Ground For Appeal :** Any Other ground

**Text of RTI First Appeal :** as per attachment

1. The PIO namely Sh. VK Rajan has not provided any information against my application dated 15.04.14 and transferred the same to various PIOs after 25 days defeating the very purpose and object of RTI Act. RTI Guide 2013 issued by DOPT says: "It is possible that in a public authority with more than one Public Information Officer, an application is received by the Public Information Officer other than the concerned Public Information Officer. In such a case, the Public Information Officer receiving the application should transfer it to the concerned Public Information Officer immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one Public Information Officer to another in the same public authority."
2. The Hon'ble Central Information Commission has held in CIC/OK/A/2007/00315 & CIC/SS/C/2013/000104, "His explanation that he was "overburdened" due to heavy rush of the receipts, files etc. does not absolve him from his statutory duty to provide correct and complete information to the information seeker."
3. The Hon'ble Commission has pleased to say in CIC/SG/C/2009/001346/6359final, "Section 7(1) of the Right to Information Act, 2005 clearly stipulates that information has to be provided within 30 days of the receipt of the request. It also further states that if information is not provided to the citizen within the time specified under the Act a personal penalty will be imposed on the defaulting public information officer. Thus Parliament has made a clear promise to the citizen of delivering her fundamental right in a time bound manner. This promise made by Parliament cannot be allowed to be diluted by public authorities' tactics to delay judicial and quasi-judicial processes. These mandatory provisions of providing information within a time-bound manner and imposition of penalty on the defaulting officer unequivocally indicate the intention of the RTI Act: that not only should information be provided, but it should be provided within a time bound manner. The relationship between obtaining information and doing so within a stipulated time frame is crucial to serve the purposes of the RTI Act, not only for the citizen but also the public authority. Delay in providing information may lead to the information losing its relevance and hence defeating the purpose of the Act. Only when information is provided in a time bound manner would it serve the purpose of providing

transparency and accountability. Without the time perspective the RTI Act would not fulfill its promise in its preamble of promoting transparency and accountability.

4. The Hon'ble Commission went on to say, "This Commission which is a creation of the RTI Act is very conscious of the fact that its job is to ensure information to citizens within a time bound manner. This Commission is conscious that the poorest man in India, - who does not even get enough to eat and may be dying of hunger, - is paying for every minute of this Commission's time. Hence it believes its duty is to ensure that Respondents or Appellants are not able to take disproportionate amount of its time to delay matters through the device of adjournments or multiple hearings. A Citizen has a right to expect that delivery of every service which the State must provide to him, - whether a ration card, passport, or a decision by this Commission, - must be done within a reasonable time. Hence the Commission is giving its decision in the matter, though the respondent has refused to give any reasons for denial of information. The Commission deprecates the acts of Public authorities in unnecessarily wasting public money by delaying supplying information to the public by using public money."
5. Section 7 (2) of the Act says, "If the Central Public Information Officer or State Public Information Officer, as the case may be, fails to give decision on the request for information within the period specified under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall be deemed to have refused the request."
6. THE HIGH COURT OF MADRAS in W.P.NO.20372 of 2009 has also held, "The other objections that they are maintaining a large number of documents in respect of 45 departments and they are short of human resources cannot be raised to whittle down the citizens' right to seek information. It is for them to write to the Government to provide for additional staff depending upon the volume of requests that may be forthcoming pursuant to the RTI Act. It is purely an internal matter between the petitioner archives and the State Government. The right to information having been guaranteed by the law of Parliament, the administrative difficulties in providing information cannot be raised. Such pleas will defeat the very right of citizens to have access to information. Hence the objections raised by the petitioner cannot be countenanced by this court.

Accordingly the PIO has violated the provisions of law attracting penalty. He be directed to provide the information without further delay to penal proceedings.



**ACTION HISTORY OF RTI REQUEST No.MHOME/R/2014/60947**

**Applicant Name** MANIRAM SHARMA

**Text of Application**

As per attachment-- Please Note- Para 142 of Central Secretariat Manual of Procedure says, Purpose of office automationThe slow age old snail mail is on the way out. Use of labour- and-time saving modern office equipments in the disposal of business in Government departments is now in vogue to facilitate faster processing and delivery of quality information, accurate analysis of facts and figures, higher efficiency and productivity, and elimination of fatigue etc. arising from performing repetitive jobs manually. For reasons of economy, however, a judicious selection of the most appropriate machine/mode e.g. using e-mail over fax/phone should be made. Therefore please expedite the information/reply per email to promote promptness, austerity and eco-friendliness. Also be noted- RTI Guide 2013 issued by DOPT says-It is possible that in a public authority with more than one Public Information Officer, an application is received by the Public Information Officer other than the concerned Public Information Officer. In such a case, the Public Information Officer receiving the application should transfer it to the concerned Public Information Officer immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one Public Information Officer to another in the same public authority.

**Reply of Application**

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	15/04/2014	Nodal Officer	
2	RTI REQUEST APPLICATION RETURNED TO APPLICANT	15/05/2014	Nodal Officer	Your online request has been forwarded to the concerned CPIOs.

Print