

No. 24/60/2014-Public
Government of India / Bharat Sarkar
Ministry of Home Affairs / GrihMantralaya

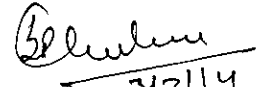
North Block, New Delhi.
Dated 03.07, 2014

ORDER

Subject: First appeal under Right to Information Act, 2005.

Whereas Shri Raja Ram had sent an application dated 27.01.2014, seeking information under Right to Information Act, 2005.

2. Whereas the CPIO had sent a reply vide letter number 24/60/2014-Public.
3. Whereas Shri Raja Ram has sent an appeal dated 10.05.2014 received on 27.05.2014, stating that the CPIO has provided incomplete, misleading or false information.
4. The appeal was examined and it is found that the reply given by the CPIO is correct.
5. The Appeal is disposed of accordingly. The appeal is being disposed of after 30 days due to exigency of work but within 45 days in accordance with section 19(6) of the Right to Information Act, 2005.


31/7/14

(Satpal Chouhan)
Joint Secretary (Admn.)
& Appellate Authority
Tel. No.: 2309 3178

Shri Raja Ram,
C-253/93,
Avas Vikas Colony,
Hardoi-241001,
Uttar Pradesh.

IT Section

पंजीकृत
REGISTERED

Raja Ram
C-253/93, Avas Vikas Colony
Hardoi (U.P.)-241001
10 May, 2014.

2
DATE 27/5/14
HOME MINISTER

13 MAY 2014

To,

The Hon'ble Home Minister
(For Shri Satpal Chouhan, Joint Secretary (Admn.))
Room No. - 194, Ministry of Home Affairs,
North Block, New Delhi - 110001.

FIRST APPEAL IN APPLICATION UNDER RTI ACT - 2005.

Hon'ble Sir,

Please refer to Ministry of Home Affairs letter No. 24/60/2014-Public dated Nil, 2014 received on 12 Apr; 2014.

2- It is very unfortunate, the reply received from the August office of the Hon'ble Home Minister, who is responsible to maintain law and order in the country, is not in accordance with the law of the land.

3- The word "information" defined in 2(f) of the act includes records, documents etc. Further, defining personal information in 8(j) of the Act, it is provided that the information, which can not be denied to the Parliament or a states legislature shall not be denied to any person. It is worth noting only questions about policy matters are barred in Parliament and decision on Padma Vibhushan award is not a policy matter. Further in UCO Bank V. CIC, 2009, (79) AIC 545 (P & H) it is held that Information relating to find out, as to whether the decision making process is fair and reasonable and satisfies the requirement of fairness, is not personal information and is not exempted.

1st Appeal
Pl. to Home Minister
Dir (A & V)

JS/A 1

Ministry of Home Affairs
Govt. of India
New Delhi

16/5/14

DS(E)

16/5

US 2/5
SC(RTI)
16/5

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4- Secondly, any administrative or judicial decision which is unreasoned and arbitrary is violation of the Article 14 of the Constitution.

5- Thirdly, Padma Vibhushan Award is a public award, and nothing is personal when one claims a public award unless matter is Top Secret as in case of the appellant.

6- It is, therefore, requested to provide the information asked in letter dated 27Jan. 2014 at the earliest.

Thanking you,

Yours faithfully


[Raja Ram]