

F. No 17012/20/2011-CFT  
Government of India  
Ministry of Home Affairs  
IS-I Division / CFT Cell

Sl. No. 284

North Block, New Delhi  
Dated 19 February 2014

To

Shri Sudhir Singh  
R/o C-003, The Ivy  
Sector-28, Sushant Lok-1  
Gurgaon-122009

Sir,

Please refer to your RTI request dated 27.12.2013 received in the CFT Cell of the IS-I Division on 24.01.2014 and to furnish the copies of the following communications as available in the part file {File No. II/ 20034/220/2011/IS-II/M (Pi)} in the CFT Cell of the IS-I Division.

1.	Unsigned copy of communication dated 11.9.2012 addressed to RGI forwarding a copy of letter 30.7.2012 from Shri Sudhir Singh.
2.	Copy of complaint from Mr Edgar Zorilla dated 11.3.2013 addressed to Commissioner of Police, Delhi.
3.	Copy to letter dated 1.2.2013 from Mr Edgar Zorilla dated 1.2.2013 addressed to Additional Secretary (IS).
4.	IS-II Section reminder Letter dated 12.6.2013 addressed to RGI.
5.	IS-II Section Letter dated 1.10.2013 addressed to RGI enclosing a representation dated 29.7.2013 from Shri Sudhir Singh for comments.
6.	IS-II Section Letter dated 1.10.2013 addressed to Secretary, DEIT enclosing a representation dated 29.7.2013 from Shri Sudhir Singh for comments.
7.	IS-II Section Letter dated 18.10.2013 addressed to RGI which is a reminder seeking comments.
8.	Letter dated 30.10.2013 from RGI in response to IS-II Section communicated dated 18.10.2013 forwarding the comments dated 15.2.2013 received from DEIT.

2. The other recent correspondence on the issue is with the intelligence agencies which are not covered under the Right to Information Act, 2005 as per the section 24 of the Act.

3. As the main file is not available in this Cell, your application is being transferred to Shri Rakesh Mittal, Director (IS-I) CPIO for taking necessary action as deemed fit.

4. The Appellate Authority under the Right to Information Act, 2005 for the IS-I Division is Shri Rakesh Singh, Joint Secretary, IS-I Division, North Block, New Delhi.

ll note &  
fwd to SCM(J)  
Noted  
20/2

RTI-284/Dir (IS-I)/17  
20/2/14

*(Signature)*  
19.02.14

( USP Kushwaha )  
Director (CFT) and CPIO  
Tel- 23092698  
Fax:2309 3001

Encl: As above.

Copy to:- Shri Rakesh Mittal, Director (IS-I) and CPIO alongwith the two applications dated 27.12.2013 from Shri Sudhir Singh are transferred under section 6(3) of the Right to Information Act, 2005 for providing the information available in the main file which is in the custody of the IS-II Section.

Action History

Page 1 of 1

**ACTION HISTORY OF RTI REQUEST No.MHOME/R/2013/62123**

**Applicant Name**

Sudhir Singh

**Text of Application**

What action was taken on the applicants representation dated 26.4.2012, 03.09.2012, 06.12.2012, 06.05.2013 and 14.05.2013. I require true copies of the file available with the Ministry of Home Affairs, File No. II/20034/220/2011/ISII/M named Shipping of PARMobiles from India to Taiwan.

**Reply of Application**

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	27/12/2013	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	09/01/2014	Nodal Officer	Forwarded To : RAKESH MITTAL, DIR(IS i)



**ACTION HISTORY OF RTI REQUEST No.MHOME/RJ/2013/02107**

Applicant Name

Sudhir Singh

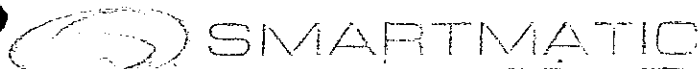
Text of Application

What action was taken on my application dated 26.04.2012, 03.09.2012, 06.12.2012, 06.05.2013, 14.05.2013 and 13.12.2013. I want True Copies of the entire file No. II/20034/220/2011/ISII/M named Shipping of PARmobiles from India to Taiwan.

Reply of Application

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	27/12/2013	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	09/01/2014	Nodal Officer	Forwarded To : RAKESH MITTAL, DIR(IS I)





March 11, 2013

To,

Commissioner of Police  
Police Headquarters  
ITO  
Delhi-11002

19/11  
78699

Dear Sir,

Sub: Complaint against Investigating Officer

- Ref:
1. Complaint dated December 18, 2012 filed by Smartmatic Corporation with the Commissioner of Police
  2. FIR bearing No. – 156/2012 registered on November 2, 2012 by Mandir Marg Police Station under sections 420/406/403/506/120-B IPC

This has reference to the complaint filed on December 18, 2012 ("Complaint") with your good offices by M/s Smartmatic Services Corporation and APR Biometrics ID-Services Pvt. Ltd. (jointly referred to therein as "Complainants"). The Complaint was filed to bring to your notice the serious lapses in the investigation being conducted by the Investigating Officer, Mr. Bhanu Pratap of Mandir Marg Police Station ("IO") in FIR No. 156/2012. A copy of the Complaint is annexed hereto as Annexure A.

Please note that the Complainants have till date not received any correspondence from your good offices on the action taken pursuant thereto and hence this follow up letter.

As mentioned in the Complaint, the Complainants have strong reasons to believe that the IO, Mr. Bhanu Pratap, is not conducting the investigation in a fair, just and honest manner and is in fact colluding with the Accused namely Sudhir Singh and Tej Pratap to promote their interests. In the Complaint, the Complainants have narrated the various instances whereby the IO has engaged in dilatory tactics and has raised issues which are totally unconnected with the criminal investigation against the Accused, thus trying to justify the Accused's reprehensible conduct.

The Complainants would like to reiterate that it is an international company with an impeccable reputation and it abides by the laws of the countries where it does business. The Complainants had planned to introduce end to end custom technology solutions to government agencies and large enterprises in the three business divisions namely, electoral solutions, identity management solutions and smart cities. The said proprietary technology would have greatly benefited the various government agencies.

However, all its (i.e., the Complainants') plans have been put on hold owing to the misappropriation of Equipments by the Accused. This delay is causing the Complainants heavy business losses. Further, by

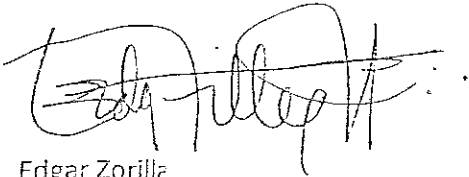
Smartmatic Corporate Office  
1001 Broken Sound Parkway, Ste. D, Boca Raton, FL 33487  
www.smartmatic.com

12/11/13  
10/11/13  
12/11/13

●lluding with the Accused, the IO is only trying to promote the Accused's interests, thus severely prejudicing the Complainants' rights.

Owing to the aforesaid, the Complainants hereby once again most humbly request your good offices to treat the matter with utmost urgency and take swift action against the IO. If we do not hear from you, we will be constrained to approach the appropriate forum/authority for investigating into the allegations against the IO.

Yours Faithfully



Edgar Zorilla  
Senior Vice-President

Copy to:

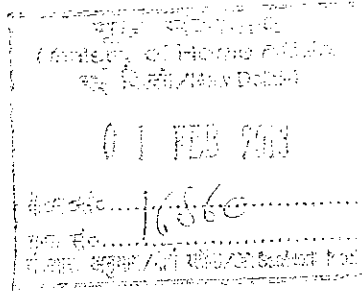
1. The Additional Secretary,  
Internal Security,  
Ministry of Home Affairs,  
Government of India.

Jst (15)

February 1, 2013

To,

The Additional Secretary  
Internal Security  
Ministry of Home Affairs  
Government of India  
New Delhi 110001



Dear Sir,

Sub: Request for information

I, Edgar Zorrilla, am the Senior Vice-President of M/s Smartmatic Services Corporation ("Smartmatic"), a company incorporated under the laws of Barbados and having its principal place of business at #4 Stafford House, Garrison, St. Michael, Barbados.

We are writing this letter to seek information on a complaint alleged to have been filed with your good offices by Mr. Sudhir Singh. A background of our company and the reasons for the enquiry are provided below.

**Background of Smartmatic**

By way of a background, Smartmatic belongs to the Smartmatic group of companies, which is a privately owned multinational corporation that designs and deploys end to end custom technology solutions to government agencies and large enterprises in the three key business divisions namely, electoral solutions, identity management solutions and smart cities. For furthering its business activities in India, Smartmatic set up a wholly-owned subsidiary in India namely APR Biometrics ID-Services Pvt. Ltd., a company incorporated under the Companies Act, 1956 and having its registered office at 505-A, 5<sup>th</sup> Floor, D-4, Rectangle 1, District Centre, Saket, New Delhi, India- 110017 ("APR Biometric").

The PARMobile is a proprietary product developed by Smartmatic and delivers the most advanced, portable and robust identity enrollment device available today. It is widely recognised as the 'Next-Generation Device for Enrolment of People'. It has been specifically conceived to provide a highly practical, cost-effective, and flexible option to customers in supporting the difficult and expensive requirements for the enrollment of distributed populations. Some of the key advantages of the PARMobile are that it is an all-in-one device (with a finger print scanner, signature pad, digital camera and electronic ID reader), designed for rugged use in fields and to withstand dust and contrasting climatic conditions, has an easy to use and install software program and complies with international standards.

**Pilot Project**

In the year 2010, in connection with the creation of the National Population Register ("NPR"), the Department of Information Technology ("DIT") had set up various Information and Communication Technology enabled Common Service Centres ("CSC") in different parts of the country for capturing

Kindly note that during the course of the investigation and the court proceedings, Sudhir has contended several times that complaints have been filed by him with numerous government agencies including the office of Ministry of Home Affairs ("MHA") However, till date, Sudhir has neither provided the court or Smartmatic with copies of the so called complaints filed by him with the MHA nor has he updated the Court on the current status of the same. Further, we have also not received any communications/notices from the MHA on such a complaint having been filed by Sudhir and we are also not aware of any action or proceedings taken pursuant thereto.

Since Sudhir has been making such statements before the Police and the Court, we would request your good self to kindly let us know the following:

- a. Has any complaint been filed by Sudhir Singh or Estia Advisory before the MHA ; and
- b. If so, what is the present stage of the said complaint and have any proceedings been initiated by the MHA or any other authority in relation thereto.

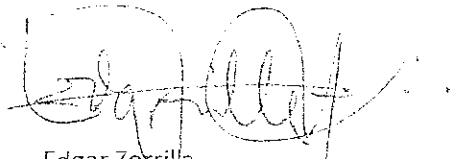
In case you would like any further information from us, I would request you to kindly get in touch with me at the following address in USA:

**M/s Smartmatic Services Corporation**  
#4 Stafford House,  
Garrison, St. Michael,  
Barbados  
Phone: +24 (6) 2280756 / +24 (6) 2280773  
Email: [ezorrilla@smartmatic.com](mailto:ezorrilla@smartmatic.com)

Alternatively, you can also get in touch with our attorneys at the following address:

**Ms. Manjula Chawla**  
c/o Phoenix Legal  
254, II Floor,  
Okhla Industrial Estate Phase III  
New Delhi -- 110020  
Tel: 011-49830000  
Fax: 011-49830099  
Email: [manjula.chawla@phoenixlegal.in](mailto:manjula.chawla@phoenixlegal.in)

Yours truly,



Edgar Zorrilla

REMINDER

No. II/20034/220/2011-IS.II/M  
Government of India  
Ministry of Home Affairs  
(IS-I Division)

New Delhi, dated 12<sup>th</sup> June, 2012

**Subject: Shipping of PAR mobile machines from India to Taiwan.**

Reference is invited to this Ministry's letter of even No. dated 11<sup>th</sup> September, 2012 wherein a copy of a letter dated 30.7.2012 received from Shri Sudhir Singh, Ex-Country Manager for India for SMART Matic Services Corporation, USA was sent to the Office of Registrar General of India on the above subject.

2. It is requested that comments of RGI may be expedited.

  
(Jagraj Singh)  
DGM (IS-I)

Phone No. 2309 3753

To

Office of Registrar General of India,  
Pushpa Bhawan,  
Opp. Pushp Vihar,  
New Delhi 110 062.





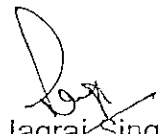
No. II/20034/220/2011-IS.II/IV  
Government of India  
Ministry of Home Affairs  
(IS.I Division/IS-II/Monitoring Cell)

North Block, New Delhi,  
Dated: 1<sup>st</sup> Oct, 2013

Subject: Embezzlement and an attempt to export biometric data of Indian Citizens to Taiwan by M/s Smartmatic Services Corporation and M/s APR Biometric ID Services Pvt. Ltd.

In continuation of this office OM of even number dated 12.06.2013 (Copy enclosed) the undersigned is directed to enclosed representation dated 29.07.2013 submitted by Shri Sudhir Singh on the above subject.

2. Reply from RGI is awaited. It is requested that comments on the subject may be furnished to this Ministry at the earliest.

  
(Jagraj Singh)  
Deputy General Manager (IS-I)  
Tele No. 2309 3753

Enclosed: As Above

o/c.

To

Registrar General & Census Commissioner, Ministry of Home Affairs. 2A. Man Singh Road, New Delhi -110011.

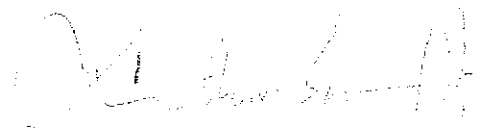
Date: 20<sup>th</sup> July, 2013

To,  
Shri F. Chidambaram,  
Chairman EGOM for Internal Security,  
Hon'ble Minister of Finance,  
Ministry of Finance,  
North Block,  
Raisina Hills,  
New Delhi-110001

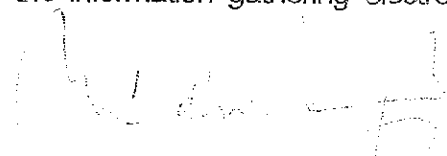
Subject: Embezzlement and an attempt to export of Biometric data of Indian Citizens to Taiwan by M/s Smartmatic Corporation and M/s APR Biometric ID services Pvt. Ltd.

Dear Sir,

1. In apropos to the subject I being a diligent professional, an honest and loyal Citizen of India, who seeks a better future for his Nation and in quest to save and strengthen the sovereignty of the Country, crave attention of your good office towards the offences committed by Smartmatic Services Corporation and APR Biometric ID Services Pvt. Ltd and their nefarious intent regarding the biometric & demographic data collected in pilot project of 'National Population Register'.
2. That during the aforesaid Pilot Project/ initiative which was conducted in seven States including Himachal Pradesh, Sikkim, Meghalaya, Jharkhand, Chhattisgarh, Madhya Pradesh and Orissa at 20 locations the aforesaid Companies collected biometric and demographic data of approximately two lakh Indian individuals and the same is still stored in the machines used for the said data collection.
3. Whereas the data was ought to be deleted by the aforesaid Companies /concern agencies after the completion of the pilot project/ initiative but was not done by them, so and the aforesaid agencies were trying to mislead/ defraud employees of their own Company, including me, to export these machines (containing biometric and demographic data) to Taiwan without any approval from the concerned Government Agencies, regarding the contents, in true manner. For better understanding of the factual aspect of the entire episode copy of letter dated 03.09.2012 and reminder dated 06.05.2013 sent to the Ministry of Home Affairs is enclosed herewith.
4. Smartmatic Corporation (A Venezuelan company), incorporated under the laws of Barbados and is having its principal place of business at # 4, Stafford House garrison, St. Michael, Barbados. I joined the said Corporation as a Country Manager in its India office situated at APR Biometric ID Services Pvt. Ltd. Suite #34, Vatika Business Centre, 3<sup>rd</sup> Floor, Vatika Atrium, Golf Course Road, Sector-53, Gurgaon – 122 002. It is pertinent to mention that M/s APR Biometrics ID services Pvt. Ltd. presently operating from its office at 505A, 5<sup>th</sup> Floor, D-4, Rectangle 1, District Centre, Saket, New Delhi to the best of my knowledge.



5. That Edgar Zorilla (Sr. Vice President and advisor to CEO), Roger Finate (COO), Dimas Ulacio (Head, Identity Management), Ernesto Vecchi, Sseema Gupta all employees of Smartmatic, superiors to me in Smartmatic told me that 80 number machines (PARmobiles) were imported by Smartmatic under the name of its previous partner Smart Identity Devices Private Ltd. and used in May/June 2010 pilot project and were stored in a warehouse. It is pertinent to mention that only 79 PARmobiles machines were in my possession.
6. That Smartmatic Corporation after the pilot project in seven states had collected and stored biometric and demographic data of approx 2,00,000 individual Indians captured & collated under National Population Register Project during the pilot study, this data is stored in the machines even after the completion of the project, which they were obligated to delete. The said officers of Smartmatic along with their other alliances hatched a criminal conspiracy to export the machines along with the said data stored in them to Taiwan, posing a threat on National Security, As if the data had ended in to wrong hands in a foreign Country it can lead to identity theft.
7. That both the corporate bodies acting in connivance got irked by the step taken by me to protect this data and they jointly filed a criminal complaint dated 02.05.2012 before the Patiala House Court, New Delhi along with an application under section 156 (3) of Code of Criminal Procedure seeking directions from the Hon'ble Court to the Police to register FIR upon their Complaint.
8. During the preliminary investigation I replied to the Complaint filed by aforesaid corporate bodies, addressing the same to the officer in-charge of the preliminary investigation and explained entire truth and revealing the offences committed and attempted by the Smartmatic Corporation and APR Biometrics Services Pvt. Ltd.
9. The Hon'ble Court of Ms. Vijeta Singh, Ld. MM, Patiala House Court, New Delhi was pleased to direct the Police Station concern to register FIR and investigate the matter. Therefore, FIR bearing no. 156/ 2012 dated 02.11.2012 under sections 420/406/403/506/120B at P.S. Mandir Marg, I approached the investigating officer vide letter dated 28.11.2012 seeking permission to surrender all 79 PARmobile machines and 31 fingerprint scanners. Copy of the letter received by the investigating officer is enclosed for your reference. The same were seized by the Delhi Police vide two seizure memo (s) both dated 28.11.2012.
10. That the aforesaid Companies malafidely sought superdari/ custody of the machines and fingerprint scanners so they can extract biometric data from it and sell it to different countries. It would be pertinent to mention that the value of this data in International market is between US\$ 20 million to US\$ 100 million. That the Hon'ble court was pleased to dismiss the application and sent the machines and fingerprint scanners for Forensic Science Laboratory for analysis.
11. That National Security, Sovereignty, Integrity and Public Law and Order will be severely prejudice if these Companies are allowed to do any further business in the Data Collection field or in any field pertaining to the information gathering electronically or

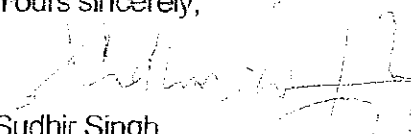


manually. These companies have attempted to export the said data and the machines to foreign country and they will do it again as it is part of their hideous design.

- 12. That the authentic identities of 2 lakh individual is of great value in grey market dealing in electronic identity sale and purchase. As the malafides of the aforesaid Companies is apparent from their hideous acts and they posses severe threat to my nation and to those 2 lacs individuals of Indian citizenship currently, which includes number of border districts too. If these Companies are again granted opportunity to work in the similar field they may try it again, hence, I plead your good office to invigilate the aforesaid facts and immediately stop or terminate if any agreement or contract is in performance by these companies or their sister concerns. I further plead that no further work may be assigned to them directly or indirectly as sub-contractors to these Companies.
- 13. The aforesaid Companies had hatched a criminal conspiracy to send this data along with the machines to Taiwan for earning wrongful gains. Illegally sending the biometric and demographic data of 2 lacs Indians to a foreign state could have led to disastrous effect on the nation's security, sovereignty, integrity, law and public order & they will do it again.
- 14. I seek your kind intervention by your good office to invigilate the aforesaid facts as the Department of Electronics and Information Technology was the nodal agency appointed by the Registrar General of India to carry out the National Population Register's pilot in March 2010 and also request you to immediately stop or terminate if any agreement or contract is in performance by these companies or their sister concerns. I further plead that no further work may be assigned to them directly or indirectly as sub-contractors to these Companies, such invigilation will surface all the hedious acts of the aforesaid Companies and people involved in selling Indians identities.

Thanking you in anticipation of a prompt response.

Yours sincerely,

  
 Sudhir Singh 05 July 2013

Enclosures;

- 1. Letter to Ministry of Home Affairs dated 03.09.2012
- 2. Reminder Letter to Ministry of Home Affairs dated 06.05.2013
- 3. Letter to surrender the PARMobiles tp PS Mandir Marg dated 28.11.2012

No. II/20034/220/2011-IS.II/VI  
Government of India  
Ministry of Home Affairs  
(IS-I Division/IS-II/ Monitoring Cell)

North Block, New Delhi,  
Dated: 1<sup>st</sup> Oct, 2013

Subject: Embezzlement and an attempt to export biometric data of Indian Citizens to Taiwan by M/s Smartmatic Services Corporation and M/s APR Biometric ID Services Pvt. Ltd.

The undersigned is directed to enclosed representation dated 29.07.2013 submitted by Shri Sudhir Singh on the above subject.

2. It is requested that comments on the subject may be furnished to this Ministry at the earliest.

  
(Jagraj Singh)  
Deputy General Manager (IS-I)  
Tele No. 2309 3753

Enclosed: As Above

O/C.

To

Secretary, Deptt. of Electronics & Information Technology, Electronics Niketan,  
CGO Complex, Lodhi Road, New Delhi.

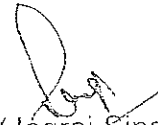
No. II/20034/220/2011-IS.II/M  
Government of India  
Ministry of Home Affairs  
(IS-I Division/IS-II/Monitoring Cell)

North Block, New Delhi.  
Dated: 18<sup>th</sup> Oct. 2013

**Subject:** Embezzlement and an attempt to export biometric data of Indian Citizens to Taiwan by M/s Smartmatic Services Corporation and M/s APR Biometric ID Services Pvt. Ltd.

Undersigned is directed to refer to this office OM of even number dated 01.10.2013 on the above subject.

2. Reply from RGI is awaited. It is requested that comments on the subject may be furnished to this Ministry at the earliest.

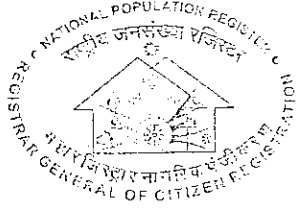


(Jagraj Singh)  
Deputy General Manager (IS-I)  
Tele No. 2309 3753

dc

To

Registrar General & Census Commissioner, Ministry of Home Affairs, 2A, Man Singh Road, New Delhi -110011.



सं.9/83/2010-सी.आर.जी.(एन.पी.आर.) खण्ड-1  
भारत सरकार / Government of India  
भारत के महारजिस्ट्रार का कार्यालय  
Office of the Registrar General, India  
गृह मंत्रालय / Ministry of Home Affairs  
2-ए, मानसिंह रोड, नई दिल्ली-110011

Date: 30.10.2013

To,

Sh. Jagraj Singh,  
Deputy General Manager (IS-1)  
IS.1 Division, MHA, North Block  
New Delhi

Subject:- Embezzlement and an attempt to export biometric data of Indian Citizens to Taiwan by M/s Smartmatic Services Corporation and M/s APR Biometric ID Services Pvt Ltd. -reg.

Sir,

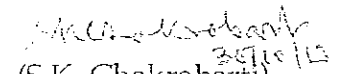
This has reference to the letter No. II/20034/220/2011-IS. II/M dated 18<sup>th</sup> October, 2013 on the subject cited above.

2. In this regard, it is submitted that the above matter was referred to Department of Information Technology for the comments/ input dated 11.09.2012 and 10.01.2013. (Copy enclosed).

3. The comments received from DIT are enclosed for information and further necessary action.

Yours sincerely,

Encl: as stated above.

  
(S.K. Chakrabarti)

Deputy Director General (NPR)

Reply of U.N. 284

RTI Matter  
By Speed Post

No. II.20034/35/2013-IS.II/M  
Government of India  
Ministry of Home Affairs  
(IS.I Division/IS.II Desk)

North Block, New Delhi,  
Dated 26 Feb, 2014

To

Shri Sudhir Singh,  
C-003, The Ivy  
Sector-28, Sushant Lok-I  
Gurgaon-122009.

Subject : Application of Shri Shri Sudhir Singh seeking information under Right to Information Act, 2005.

Sir,

Reference is invited to your online RTI application dated 27.12.2013 and subsequent reply by Director (CFT), MHA vide OM No 17012/20/2011-CFT dated 19.02.2014 on the above subject.

2. On the above, it is informed that the Monitoring Unit does not have further information than contained in file no II/20034/220/2011/IS.II/M(part) which has already been transferred to Director (CFT). Hence, this CPIO does not have any further information to provide on the application.

3. It is informed that in case you are not satisfied with the reply, you can prefer an appeal within 30 days from the receipt of this communication to Shri Rakesh Singh, Joint Secretary (Internal Security-I), Room No 197-B, North Block, Ministry of Home Affairs, New Delhi, who is the Appellate Authority in this case.

  
(Rakesh Mittal)

Director (Internal Security-I) & CPIO  
TELE : 23092132

Copy to

Shri U. S. P. Kushwaha, Director (CFT), IS-I, MHA, North Block w.r.t OM no 17012/20/2011-CFT dated 19.02.2014

PA to DIR(US-I)