

RTI/2013-F-1
Government of India
Ministry of Home Affairs

NDCC-II Building, Jai Singh Road,
New Delhi, dated 13th June, 2013

To

Dr. Animesh Haldar,
Advocate, High Court of Kolkata,
EE-54/2, Salt Lake,
Kolkata-700091

Subject: Information sought under the RTI Act, 2005

Sir,

Please refer to your application dated 08.04.2013, received by the undersigned on 15.05.2013 on transfer from Sh. Ramesh Kumar Suman, Director(IS-II) & CPIO, Internal Security Division, Ministry of Home Affairs, vide their letter No.17011/55/2012-IS.VI(4) dated 15.05.2013 seeking information under the RTI Act, 2005.

2. In this connection, it may be stated that Foreigners Division, Ministry of Home Affairs has no information to furnish on the points raised in the RTI application.

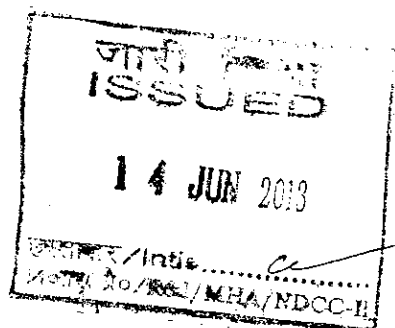
Yours faithfully,

Vikas Srivastava
(Vikas Srivastava)

Under Secretary (Foreigners) & CPIO

Copy to: (1) Director(IS-II), MHA ✓
(2) RTI Cell, MHA ✓

P.O. 1/2013
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RTI MATTER

R-2872/Info(FI)/13
1575

No.17011/55/2012/IS.VI(4)
Government of India
Ministry of Home Affairs
Internal Security Division
(IS.VI Desk)

Dated : 15 May, 2013

To

Dr. Animesh Halder,
Advocate, High Court Kolkata,
EE - 54/2, Salt Lake,
Kolkata - 700 091.

Subject:- Seeking information under RTI Act, 2005 - regarding.

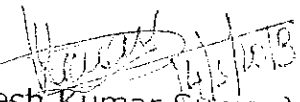
Sir,

Please refer to this Ministry's letter No.A.43020/01/2013/RTI-dated 03.05.2013 which was received in the office of the undersigned on 10.05.2013 on the above subject.

2. In this regard, it is intimated that the required information is not available with the undersigned CPIO. However, your application is being transferred to Director (Foreigners), MHA, NDCC Building, New Delhi for appropriate action, if any.

3. The Appellate Authority in the matter is Shri Rakesh Singh, Joint Secretary (IS-I), North Block, New Delhi.

Yours faithfully,


(Ramesh Kumar Suman)
Director (IS-II)&CPIO

Copy to:-

1. The Director (Foreigners), MHA, NDCC Building, New Delhi along with a copy of RTI application for appropriate action, if any.

2. RTI Section, MHA, North Block, New Delhi w.r.t their letter No.43020/01/2013-RTI dated 03.05.2013.

RTI
Pl. discuss

Dr.
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no information.

237 / RTI / MEA / 2013 No 101-378 / 13

Residence:

High Court of India

Ministry of External Affairs

डा. सी. प्रसाद
Dy. No. 1072
दिनांक / Date: 16/04/2013

1028 / Dir. (RTI)
12/4/2013

To:

April 08, 2013

Central Public Information Officer,

Ministry of External Affairs
'A' Wing, Jawaharlal Nehru Bhawan
23-D, Janpath
New Delhi - 110 011

Dear Sir / Madam:

Subject: Application for Information under the provisions of RTI Act 2005
My Clients: (i) Dr. Sourav Bhattacharya and Smt. Chhabi Rani Bhattacharya

Under instructions of my clients above named: (A) Dr. Sourav Sam Bhattacharya ("Sourav") formerly an Indian Citizen and currently a PIO (Person of Indian Origin) card holder (No: P0507550) and a citizen of the United States (USA Passport No: 057 259 211, residential address: 13418 North Cliffop Drive, Fountain Hills, Arizona 85268, USA), and (B) Sourav's mother Smt. Chabi Rani Bhattacharya ("Chabirani"), who is an Indian Citizen, Permanent Account No (PAN)-AYAPB5337M, with permanent residential address for both in India being 4/2A Sitalamata Lane, Nawpara, Kolkata 700 090, India, I am submitting this **Application for Information** pursuant to RTI Act 2005 on their behalf, in view of the background as stated hereunder.

As required by the RTI Act, a payment of Rs/- 10 (ten only) DD payable to "AO, MEA, New Delhi" (No.694689, dated 5.4.2013, drawn on Indian Bank) is attached. Please forward this request to the appropriate authority within the Ministry, as we may be unaware of changing duties and responsibilities of the respective officer(s).

Background

Sourav apprehends that he is being a victim of a false terrorist and/or spy allegation originating from certain wrongdoers in the USA and that he has been relentlessly persecuted beginning sometime in 1998-1999 till date by those conspirators for ulterior motives. Meanwhile, numerous personal and professional harms have been committed to him and his family members. Apart from physical surveillance (few of which led to automobile accidents, one nearly fatal) and

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surveillance in the information space (telephone, e-mail, work laptop) which are routinely being used to harass both personally and professionally, Sourav also heard (though hearsay) certain entities in the USA had attempted to prosecute him (for reasons not known to Sourav) and the said prosecution attempt reportedly failed due to inability to obtain a grand jury indictment. Surprisingly, Sourav had not been notified of any such attempt and hence he has no idea, who are those actors behind these nefarious activities and as such Sourav lives in constant fear of what the next line of attack from the miscreants might be.

Sourav further apprehends that having been unsuccessful to find any proof or validity behind the said, obviously frivolous, bogus and false terrorist or spy allegations, those rumor mongers/ conspirators have turned into violent and vindictive to cause harm to his person and profession by any means whatsoever. Currently, Sourav lives in fear of personal safety and loss of personal and professional liberty due to the said surveillance activities and misuse of personal information originating from the surveillance activities. Sourav seeks protection from the retaliatory conduct of "disgruntled false accusers".

Visits to India

Sourav visited India during the following time periods:

- March 2004 – Sept 2004 (less than 180 days, when his father was ill, and needed care)
- May 2010 (when his father passed away)
- May 2011 (for 1 year anniversary of his father's last ritual)
- Oct-Nov 2011 (when his uncle had a stroke)
- April 2012 (when his uncle was recovering)
- Dec 2012 (bringing Sourav's teenager son to visit his family).

Sourav apprehends that during some or all of these visitation periods the foreign sources of surveillance parties may also have visited India, to continue their nefarious activities upon the Indian soil. During these times, the Indian Government may have been aware of such activities, initially as any good faith cooperating party may normally and ordinarily participate upon, and subsequently with reluctance and petulance.

Sourav is also apprehending the possibility that after a prolonged and obviously frivolous and hilarious episode of the false and bogus allegations the external affairs department of any government, including the Indian Government, may have escalated the matter to a forum of international law or International Court of Justice, such as the United Nations, United Nations Human Rights Commission and other similar bodies.

Currently, Sourav intends to clear his good name from these ugly, false and fabricated rumor (allegations), and requests the necessary proofs and documentation re: the aforesaid matter, which is the justification for this Application for Information.

The endangerment to Sourav's life and well being also impacts his mother Chabirani, and on account of the said impact, the mother Chabirani presents her request to the said Application for Information. The greater of the two rights, the son's (a former Indian citizen, currently a PIO) and the mother's (an Indian citizen), as rendered by the Indian laws, is exercised in this Application.

Application for Information, pursuant to RTI Act 2005

The following Information is requested.

- A. During anyone or more of the listed visit periods of Sourav to India and particularly during the March – Sept 2004 visit, did any foreign entity (public or private) representative or agents visit India with the knowledge and participation of Indian Government with the false spy or terrorist allegation re: Sourav, for the purposes that include, but may not necessarily be limited to, surveillance and/or monitoring?
- B. Did the Government of India, upon record of illegal conducts of any such foreign agent(s), ever order removal of such agent(s) from India?
- C. Was any Consulate of India in USA, and particularly the San Francisco Indian Consulate (which maps to Sourav's Arizona, USA residence) ever notified and/or participated by any foreign entities re: the said spy or terrorist allegations re: Sourav?
- D. Is the Government of India aware of, either directly by initiation or indirectly by participation, the aforesaid spy/terrorist allegations re: Sourav, being discussed in any forum of international law, e.g., the UN General Assembly or any other such international forum including but not limited to the International Court of Justice and the UN Human Rights Commission?
- E. Is there any file or information re: Sourav that has been created and/or updated and/or maintained at any Government of India facility, most notably with the Indian Consulates in USA and/or with a ministry that deals with international affairs?

If the disclosure of Information per items A, B or C is/are prevented by any diplomatic secrecy act between a foreign entity and India, then I sadly protest against such secrecy, as the secrecy here is being misused towards a plain and simple cover up of a wrongful and vicious conduct of immense proportion.