

SX No. 193

RTI ACT, 2005  
BY SPEED POST

No. 17015/98/2013-IS-I  
Government of India  
Ministry of Home Affairs  
(IS-I Division)

North Block, New Delhi-1,  
Dated : 18.10.2013

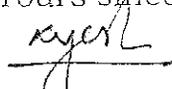
Subject :- Application under RTI Act-2005.

CPIO & Director (Police) vide their letter no. I-21023/45/2013-IPS.III dated 15.10.2013 has transferred an online application dated 07.08.2013 of Sh. Ashwini Srivastava to Naxal Management Division and Internal Security Division for furnishing information on Point No. 4 & 5 of the application. The issue mentioned in Point No.4 pertains to Naxal Management Division, to whom the application have already been transferred by the CPIO & Director (Police) vide above said letter dated 15.10.2013. As the issue mentioned in Point No.5 is relating to interception, the aforesaid application is hereby transferred to CPIO & Director (IS-I) under Section 6 (3) of RTI Act, 2005 for further necessary action.

2. In case it does not fall under your jurisdiction, it may please be further transferred/ forwarded to the Public Authority under Section 6 (3) of RTI Act, 2005 to which the subject matter is more closely connected, directly, under intimation to the applicant.

Encl: As above.

Yours sincerely,

  
(Rajesh Kumar Gupta)  
CPIO & Director, IS-III

To,  
Sh. Rakesh Mittal  
CPIO & Director (IS-I),  
IS-I Division, Ministry of Home Affairs,  
North Block, New Delhi

RTI-193/Div (IS-1)/13  
18/10/13

Copy for information to:

Shri Ashwini Shrivastava, L-37, B Second Floor, Malviya Nagar, New  
Delhi-17.

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No. 1-21023/45/2013-IPS.III  
Government of India  
Ministry of Home Affairs

Room No.220, North Block,

New Delhi, dated, the 15 October, 2013.

To

Sri Ashwini Shrivastava,  
L-37, B Second Floor,  
Malviya Nagar,  
New Delhi-110017.

Subject: Information under Right to Information Act, 2005-Regarding.

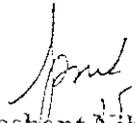
Sir,

Please refer to your on line application dated 07.08.2013 for seeking information under Right to Information Act, 2005. The requisite information is as under:-

2. As regards to points No. 1 to 3, it is informed that transfer and posting of the IPS officers are within the purview of the concerned State Governments. However, appointment on Central deputation is concerned with this Ministry. The information is related to Public Authority and not maintained in the consolidated form and hence attracts the clause 7 (9) of the RTI Act, which reads as "An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public Authority or would be detrimental to the safety or preservation of the record in question.

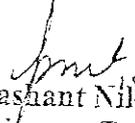
3. Points No. 4 & 5 of your application related to Naxal Management Division and Internal Security Divisions, of this Ministry and transferred to them under rule 6 (3) of RTI Act. for suitable reply.

4. If you are not satisfied with the above reply, you may file an appeal with the Joint Secretary (Police-I), Ministry of Home Affairs, North Block, New Delhi-110001, who is the First Appellate Authority in the matter.

  
(Prashant Nikam)  
CPIO & Director (Police)  
Phone No.011-23093256

Copy to:-

1. The Director (ANO-1) and Director (IS-III) MHA with a copy of RTI application under reference for suitable reply to the applicant on the concerned points.

  
(Prashant Nikam)  
CPIO & Director (Police)

12/10/13

US CES-E)  
Pl. Plu. 17/10/13

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### RTI REQUEST DETAILS

Registration No. : MHOME/R  
/2013/60511

Date of Receipt : 07/08/2013

Type of Receipt : Online Receipt

Language of Request : English

Name : ASHWINI  
SHRIVASTAVA

Gender : Male

Address : L-37 B, SECOND FLOOR, MALVIYA NAGAR, NEW  
DELHI, Pin:110017

State : Delhi

Country : India

Phone No. : Details not provided

Mobile No. : +91-9958007887

Email : adonis24@gmail.com

Status(Rural/Urban) : Urban

Education Status : Above Graduate

Is Requester Below Poverty Line ? : No

Citizenship Status : Indian

Amount Paid : 10

Mode of Payment : Gateway Payment

Mode(s) of information Supply : Hard Copy

Does it concern the life or Liberty of a Person ? : Details not provided.

Request Pertains to : PRASHANT  
NIKAM

Information Sought : Please find RTI application as supporting document.

VS (IPSG-II)

Print Close

Please provide me following information under the Right to Information Act, 2005.

1. Kindly give details on letters received from former and present Members of Parliament, Members of States Legislative Assemblies and Legislative Constituencies requesting transfer and posting of an IPS officer in the last three years (that is between 2009 and till date 2013). The year-wise detail is sought under following points:

- A. Sr No
- B. Name of MP, MLA or MLC
- C. Copy of the letter of request
- D. Details of request
- E. Action taken
- F. Status

2. Please give details on letters received from former and present Chief Ministers of all the states in the country requesting transfer and posting of an IPS officer in the last three years (that is between 2009 and till date 2013). The year-wise detail is sought under following points:

- A. Sr No
- B. Name of Chief Minister
- C. Copy of the letter of request
- D. Details of request
- E. Action taken
- F. Status

3. Kindly give details on letters received from former and present Governors and Lt Governors of all the states and Union Territories in the country requesting transfer and posting of an IPS officer in the last three years (that is between 2009 and till date 2013). The details is sought under following points:

- A. Sr No
- B. Name of Governor or Lt Governor
- C. Copy of the letter of request
- D. Details of request
- E. Action taken
- F. Status

4. Kindly give details on number of naxal deaths reported across the country in last ten years. The year-wise information is sought under following heads:

- A. Sr. No.
- B. Year
- C. Number of casualty of civilians
- D. Number of casualty of security personnel
- E. Amount of ex gratia given
- F. Steps being taken to check naxalism

5. Kindly give details for last three years (that is between 2009 and till date 2013) on number of requests received from various agencies by MHA seeking legal interception or recording of phone calls or any other form of electronic messages. The year-wise information is sought under following heads:

A. Sr. No.

B. Year

C. Number of requests

D. Name of government agency that had sought the permission to intercept or, for recording

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ACTION HISTORY OF RTI REQUEST No.MHOME/R/2013/60511

Applicant Name ASHWINI SHRIVASTAVA  
Text of Application Please find RTI application as supporting document  
Reply of Application

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	07/30/2013	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	08/06/2013	Nodal Officer	Forwarded To : PRASHANT NIKAM

Print

*[Handwritten Signature]*  
14/10/2013  
IPS-277

Please provide me following information under the Right to Information Act, 2005.

1. Kindly give details on letters received from former and present Members of Parliament, Members of States Legislative Assemblies and Legislative Constituencies requesting transfer and posting of an IPS officer in the last three years (that is between 2009 and till date 2013). The year-wise detail is sought under following points:
  - A. Sr No
  - B. Name of MP, MLA or MLC
  - C. Copy of the letter of request
  - D. Details of request
  - E. Action taken
  - F. Status
  
2. Please give details on letters received from former and present Chief Ministers of all the states in the country requesting transfer and posting of an IPS officer in the last three years (that is between 2009 and till date 2013). The year-wise detail is sought under following points:
  - A. Sr No
  - B. Name of Chief Minister
  - C. Copy of the letter of request
  - D. Details of request
  - E. Action taken
  - F. Status
  
3. Kindly give details on letters received from former and present Governors and Lt Governors of all the states and Union Territories in the country requesting transfer and posting of an IPS officer in the last three years (that is between 2009 and till date 2013). The details is sought under following points:
  - A. Sr No
  - B. Name of Governor or Lt Governor
  - C. Copy of the letter of request
  - D. Details of request
  - E. Action taken
  - F. Status
  
4. Kindly give details on number of naxal deaths reported across the country in last ten years. The year-wise information is sought under following heads:
  - A. Sr. No.
  - B. Year
  - C. Number of casualty of civilians
  - D. Number of casualty of security personnel
  - E. Amount of ex gratia given
  - F. Steps being taken to check naxalism

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5. Kindly give details for last three years (that is between 2009 and till date 2015) on number of requests received from various agencies by MHA seeking legal interception or recording of phone calls or any other form of electronic messages. The year-wise information is sought under following heads:

- A. Sr. No.
- B. Year
- C. Number of requests
- D. Name of government agency that had sought the permission to intercept or for recording

Reply of Sl.No. 193

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: 31 Oct, 2013

To

Shri Ashwini Shrivastava,  
L-37, B Second Floor,  
Malviya Nagar, New Delhi-17.

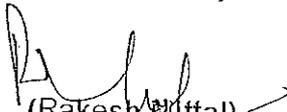
Sub: Application of Shri Ashwini Shrivastava seeking information under Right to Information Act, 2005.

Sir,

Please refer to your RTI application dated 07.08.2013 received in the office of this CPIO on 18.10.2013 vide MHA OM no I-21023/45/2013-IPS.III dated 15.10.2013 and 17015/98/2013-IS-I dated 18.10.2013 on the above mentioned subject.

2. Application has been forwarded to undersigned for providing information on para 5 of the RTI application.
3. In respect of para 5 of the RTI application, It is submitted that desired information is already in public domain as replied by this Ministry in response to Unstarred Parliament Question No 1468 answered on 09.03.2011 in Rajya Sabha. A copy of the same is enclosed as Annexure-I for your information. Further detail cannot be provided as the information sought is exempted from disclosure under sub-section 1(a) and 1(g) of Section 8 of the RTI Act, 2005.
4. 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.

Yours faithfully,

  
(Rakesh Mittal)

Director (Internal Security-I) & CPIO

oll.

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GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS  
RAJYA SABHA  
QUESTION NO 1468  
ANSWERED ON 09.03.2011

TELEPHONE TAPPING.

1468 SHRI JAI PRAKASH NARAYAN SINGH

Will the Minister of HOME AFFAIRS be pleased to state :-

- (a) the total number of citizens whose telephones have been tapped by the authorities during the last three years and average duration/period during which they have been tapped;
- (b) the nature of allegations or suspected crimes for which tapping was authorized and number of FIRs prosecutions launched exclusively on the basis of tapping;
- (c) the designations of officials of Government who have been authorized tapping and service providers who were ordered to tap telephones; and
- (d) the measures in place so that the authorized period is not exceeded and that tapped matter does not go in public domain?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI GURUDAS KAMAT)

- (a): On an average, between 7,500 to 9,000 orders for interception of telephones are issued by the Central Government per month. Normally, the duration period does not exceed six months.
- (b): Section 5(2) of the Indian Telegraph Act, 1885 permits the interception in the occurrence of any public emergency or in the interest of public safety. It would not be possible to indicate the number of FIRs launched exclusively on the basis of tapping as field investigations are also necessary to collect substantive evidence.
- (c): Secretary, Ministry of Home Affairs has been authorized for interception of telephones at the Central Government level. Home Secretaries of the State Governments are authorized for interception of telephones at State level. The names of service providers are interalia as follows:
- (i) Aircell Cellular Ltd.
  - (ii) Aircel Ltd.
  - (iii) Bharat Sanchar Ltd.
  - (iv) Bharti Airtel Limited

(v) Idea Cellular Ltd.  
(vi) Loop Mobile (India) Ltd.  
(vii) Mahanagar Telephone Nigam Ltd.  
(viii) Reliance Telecom Ltd.  
(ix) S Tel Private Ltd. (ix) Sistema Shyam TeleServices Ltd. (x) Spice Communications Ltd. (xi) Tata Teleservices Ltd. (xii) Unitech Wireless Pvt. Ltd. (xiii) Videocon Telecommunications Ltd. (xiv) Vodafone Essar Cellular Ltd.

(d): The competent authority also reviews orders to ensure that the authorized period is not exceeded. There is also an Oversight Committee headed by the Cabinet Secretary to monitor the activity related to lawful interception.

Instructions are there to the agencies to ensure that the intercepted material is kept in safe custody.