

Reply of SN. 338

RTI Matter
SPEED POST

No.11/20034/20/2014-IS-II(pt.)
Government of India
Ministry of Home Affairs
IS-I Division ((IS-II Desk))

North Block, New Delhi
Dated: the 13 March, 2014

To

✓ Shri Parveen Kumar Mehta,
C/o Punj Lloyd Limited,
E-18, West Patel Nagar,
New Delh-110008.

Subject: Application under Right to Information Act, 2005-reg.

Sir,

Please refer to your letter dated 11.02.2014 received in this Division on 06.03.2014 on the subject mentioned above and to state that the comments of this Ministry are based on the inputs provided by Central Intelligence Agencies which figure in the 2nd Schedule of RTI Act, 2005 exempted under the RTI Act, 2005. The MHA communication with the Intelligence agencies in the matter are sensitive and classified as SECRET. As the information regarding MHA OMs/letters sought by the applicant comes under Section 8 (a), 8 (g) and Second Schedule of the RTI Act, 2005 the same cannot be disclosed/given under the RTI Act.

2. In case you are not satisfied with the above reply, as per Section 19(1) of Right to Information Act, 2005 you may file an appeal within 30 days from the issue of this letter to the first Appellate Authority whose particulars are given below:

Shri Rakesh Singh,
Joint Secretary (IS-I),
Ministry of Home Affairs,
North Block, New Delhi.


(Rakesh Mittal)
Director (IS-I) & CPIO

Copy to for information to:

1. Shri S. Samanta, US(RTI), MHA, North Block w.r.t. O.M. No.A-43020/01/2014-RTI dated 12.02.2014.

RTI MATTER TIME BOUND

नामसंज्ञा विभाग
Government of India, Home Affairs
Ministry of Home Affairs, CP, Madhya
राज्य

Received dated 17/04/14

OFFICE MEMORANDUM

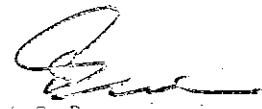
Subject: Application of Shri Smt. Jayaram Kumar Mishra
under the Right to Information Act, 2005.

This Ministry has received an application dated 21/03/14 under the RTI Act, 2005 from Shri Smt. Jayaram Kumar Mishra (received on 21/03/14) by way of which information pertains to more closely related to the functions of IS Division, the application is being forwarded to that Division for providing information. It is requested that if the subject matter pertains to any other CPIO Public Authority, the application may be further transferred to the Authority directly, under intimation to the applicant.

5. The applicant has paid the requisite fee of Rs.10/- vide Receipt No. dated 21/03/14 (copy enclosed) / not paid the fee since he claims to/belongs to the Below Poverty Line (BPL) Category.

Encl: As above.

RTI-338/DIR (IS-7)/14
16/4/14


(S. Samanta)

Under Secretary to the Govt. of India.

The Director, IS-7
S/o Ministry of Home Affairs
No. 15 Block, New Delhi

Copy for information to:

Shri Smt. Jayaram Kumar Mishra
R/o E-18, West Patel Nagar
New Delhi - 110008

(He/She is requested to contact the above-mentioned CPIO/Public Authority for further information in the matter).

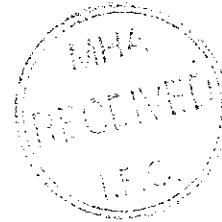
✓ To
all note and send to us/ISB
Noted
15/4/14

2114/RTI-MHA/2014

07/03/14

Date: 21st March'2014.

The Director (IS-I) & Central Public Information Officer,
Government of India,
Ministry of Home Affairs,
IS-I Division, (IS-II Desk),
North Block, New Delhi.



Dear Sir,

Kind Attn.: Mr. Rakesh Mittal

Sub.: Supply of information against Application dated 11th February'2014 under the RTI Act

Thanks for your letter no. II/20034/20/2014-IS-II(pt.) dated 13th March'2014 vide which I have been informed that as the information regarding MHA OMs/letters sought by the applicant comes under Section 8 (a), 8 (g) and Second Schedule of the RTI Act, 2005 the same cannot be disclosed/given under the RTI Act.

My submission in this regard is as under:

I have sought information regarding security clearance pertaining to the Application by Punj Lloyd Limited (PLL) for the PLL Company & its Directors.

Security Clearance by Ministry of Home affairs is a mandatory formality for all companies and their directors undertaking sensitive defence, aviation, port and other projects in India and sought on project to project basis.

Ministry of Home Affairs is only privy to the process of grant of this clearance and the type of vetting required.


I do appreciate that there could be sensitive issues of national interest based on which the clearance has not been granted and therefore it may not be advisable to inform the company of the reasons for the denial of security. However when the security clearance has been granted by Ministry of Home Affairs, I feel it would be appropriate:

To inform the company that the necessary clearance has been granted by the Ministry of Home Affairs. This information would in no way hamper the national security interest as what is being intimated is the clearance of security granted by MHA only.

In the light of the facts stated above, may I request your good-self to please re-consider your decision and please arrange to supply the information as requested in my said application within 10 days from the date of receipt of this letter failing which I will be constrained to file an Appeal against your decision as advised by your good-self.

Thanking you,

Yours faithfully,


(PARVEEN KUMAR MEHTA)
R/O E-18, West Patel Nagar,
New Delhi-110008.
Tel. No. 9999391737



SM-5