

root
in file
6/6/13

Speed Post

No. 13012/18/2013-K.VI
Government of India
Ministry of Home Affairs
Department of Jammu and Kashmir Affairs

North Block, New Delhi
Dated 4th June, 2013

ORDER

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

Please refer to the appeal dated 29.4.2013 under Right to Information Act, 2005 against the order of the Under Secretary (K.VI) dated 05.04.2013.

2. The RTI application dated 13.3.2013 addressed to Shri Anurag Sharma, CPIO/under Secretary(AVD-1)DOPT was transferred under section 6 (3) of the Act to Secretary MHA, North Block, New Delhi in respect of point No. (ii) as this relates to J&K Division of MHA. As the letter no. S-253/57 -PD dated 18.12.1963 addressed by Secretary to Government of J&K, General Department to Deputy Secretary to Government of India, Ministry of Home Affairs, New Delhi was not available in this section, nil information was given.

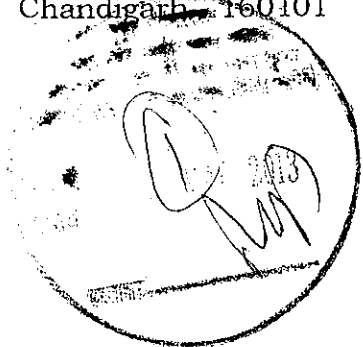
3. As the letter sought by him is not available in MHA, it therefore can not be made available. .


4. The appeal is therefore, accordingly disposed off in light of the above.

4

To

Shri Devi Dayal,
No. 6333, Rajiv Vihar, MHC,
Mani Majra,
Chandigarh - 160101




(R.K. Srivastava)
Joint Secretary(K)/Appellate Authority
Tel. No. 2309 3126

o/c

No. 13012/18/2013-K-VI
Government of India
Ministry of Home Affairs
Jammu and Kashmir Division

Dated : 24th May, 2013


Office Memorandum

Subject : Appeal under Right to Information Act, 2005.

I am directed to forward a copy of the RTI application dated 13.03.2013 of Shri Devi Dayal. The applicant has sought a copy of letter No. S-253/57-PD dated 18.12.1963 addressed by Secretary to Government of J&K, General Department to Deputy Secretary to Government of India, Ministry of Home Affairs, New Delhi.

2. As J&K Division is not in possession of this letter, NIL reply was given to the applicant. The applicant has filed the first appeal under Section 19(1) of the RTI act, 2005.

3. All the divisions of the MHA are requested to check if they have a copy of the above letter No. S-253/57-PD dated 18.12.1963 addressed by Secretary to Government of J&K, General Department to Deputy Secretary to Government of India, Ministry of Home Affairs, New Delhi. It is requested that response in this regard including the NIL reply may please be sent to the undersigned by 30.05.13 so as to dispose off the appeal timely.


Bhopal Singh
Director (K-II)

All CPIOs of MHA

o/c

T/RTI/K-VJ
10/5

No. A-43020/01/2013-RTI
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, Dated the 6th May, 2013.

**Subject: First Appeal filed by Shri/Smt/Kum. Devi Dayal
..... under Section 19 (1) of the Right
to Information Act, 2005.**

The undersigned is directed to refer to first appeal dated
29/04/2013 under the RTI Act, 2005 filed by Shri/Smt/Kum. Devi
Dayal (received in this
Ministry on 03/05/2013) in connection with the information sought through
his/her RTI application dated 13/03/2013 .

2. Since the RTI application dated 13/03/2013 was earlier dealt with
by/transferred/forwarded to ~~Joint Secretary~~ Joint Secretary Division of this
Ministry, the first appeal is forwarded to the concerned
Appellate Authority(ies) for taking appropriate action in the matter.

* as evident
from the file
reference
given by
the appellant,

Encl: As above.

Sanjiv
(Sanjoy Mitra)

Under Secretary to the Govt. of India.

JS(K)-on loan
To

DI(K-II)
US(K-VJ)

Joint Secretary (K).....
MHA.....
North Block.....
New Delhi.....

Copy for information to:

Shri/Smt/Kum. Devi Dayal.....
No. 6333, Rajiv Vihar, MHC.....
Manimajra.....
Chandigarh - 160101.....

To,

The Appellate Authority,
Under RTI Act,
MHA
North Block
New Delhi,

Appd) 123/RTI/2013
61513

SUBJECT: First Appeal under section 19 of RTI Act 2005.

Sir/Madam,

That, I have filed an application dated 13th March, 2013 to know certain information under RTI Act.

That, the application complete in all respects along with the fee of Rs. 30/- in the shape of IPO was sent addressed to CPIO of DOPT through registered speed post on 13th March 2013. (copy enclosed)

That, the CPIO of DOPT vide his office memorandum No. 258/26/2013-AVD-II Dated 25.03.2013 transferred that application dated 13.03.2013 (wrongly mentioned in office memorandum as 18.03.2013) under section 6(3) of the Act to (1) Secretary, MHA, North Block New Delhi "in respect of point No. (ii) of the RTI application only" and (2) to CPIO, National Archives of India, Janpath, New Delhi for point i of the RTI Application (copy enclosed).

Whereas, any transfer under section 6(3) shall be made as soon as practicable but in no case later than five days from the date of receipt of the application. Delay on part of CPIO is violation of the Act.

That, Ms Suman Dixit Under Secretary -K.VI vide her letter No. 13012/18/2013-K. VI dated 05-04-2013 has informed that the information is not available with them "So far as Jammu and Kashmir Division (K.VI Branch) is concerned, and the info sought may be treated as nil" (copy enclosed).

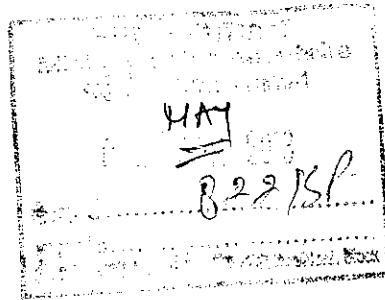
It may please be noted that my application dated 13-03-2013 was transferred to "Secretary MHA North Block New Delhi" not to any specific section or branch of MHA. The reply received is misleading and an attempt to hush up the matter.

It will be appropriate if the reply be sent on the behalf of the Secretary MHA / or for the whole ministry and not just on behalf of any one branch or section. Till the time the application may not be treated as disposed off. Sub section (6) of section 7 of the RTI Act may also be invoked.

Yours Sincerely,

Devi Dayal s/o Khushi Ram.
R/o # 6333 Rajiv Vihar MHC,
Manimajra Chandigarh.160101.
9467884300.

JS (K)



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To,

Shri. Anurag Sharma
CPIO
Under Secretary (AVD-1)
D/O Personal & Training
North Block
New Delhi

Subject Information Under RTI Act 2005.

Sir,

It is requested that following information may kindly be supplied under the provisions of RTI Act 2005.

- (I) Authenticated copy of the notification No. 25/3/60- AVD (i) and (ii) dated 01-01-1964 .
- (II) Letter no. S-253/57 – PD dated 18-12-1963 addressed by Secretary to Government of J&K , General Department to Deputy Secretary to Government of India , Ministry of Home Affairs , New Delhi .

I am enclosing fee of Rs. 30/- in the shape of IPO No.12f 382783 to 12f 282785 and also undertake to pay any legal fee if required to pay after receipt of the information.

Thanking you

अलगपत्रा COUNTERFOIL

इसे काटकर प्रेषक अपने पास रख ले।
To be detached and kept by the Sender.

**SPEED POST
Customer Receipt**

EP187963 SP7001
13/3/13

To	Anurag CPIO		Date	13-3-13	No	098
	Under RTI Act		Time	2	Hrs.	
	Under Section 2.		Weight	20	Gms	
	Delhi 110001		Charge	35	Rs.	
	From Devi Dayal		Signature	[Signature]		
	H6333 Rajiv Vihar		Post Office	Stamp		

Yours Sincerely,

[Signature]
13/3/13

Devi Dayal s/o Khushi Ram
R/o # 6333 Rajiv Vihar MHC
Manimajra Chandigarh-160101
9467884300

12F 382783

12F 382784

12F 382785

No.258/26/2013-AVD-II

Government of India

Minister of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)

AVD-II

New Delhi, Dated the 25.03.2013

OFFICE MEMORANDUM

Subject : Application dated 18.3.2013 of Shri Devi Dayal under the RTI Act 2005.

The above RTI application received from Shri Devi Dayal dated 18.3.2013 is transferred u/s 6 (3) of the RTI Act for provision of information to the applicant.


(Rajiv Jain)

Under Secretary to the Government of India and CPIO

1. Secretary, MHA, North Block, New Delhi in respect of point no.(ii) of the application.
2. CPIO, National Archives of India, Janpath, New Delhi-110001 in respect of point no. (i) of the application.

Copy enclosed to:

- ✓ 1. Shri Devi Dayal, S/o Khushi Ram, R/o # 6333 Rajiv Vihar MHC, Manimajra, Chandigarh-160101. It is requested that details regarding information sought may be provided to facilitate the provision of information, if available to you.
2. RTI Cell, DOPT, North Block, New Delhi with reference to 01670/RTIC/2013 dated 18/3/2013.

No.A-43020/01/2013-RTI
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, Dated the 15-03, 2013.

OFFICE MEMORANDUM

Subject: Application of Shri/Smt/Kum. Devi Dayal
..... under the Right to
Information Act, 2005.

The undersigned is directed to forward herewith an application dated
7/3/2013 under the RTI Act, 2005 of
Shri/Smt/Kum. Devi Dayal
(received in this Ministry on 15/03/2013 /by transfer from
.....) to
DOP T.....Division for providing information, as the requested
information pertains to/more closely related to the functions of the said Division.
It is requested that if the subject matter pertains to any other CPIO/Public
Authority, the application may be further transferred to that Authority directly,
under intimation to the applicant.

3. The applicant has paid the requisite fee of Rs.10/- vide Receipt No.
24062 dated 14/03/2013 (copy enclosed)/ not paid the fee since he
claims to/belongs to the Below Poverty Line (BPL) Category.

Encl: As above.

(Surojit Ghosh)

Under Secretary to the Govt. of India.

To

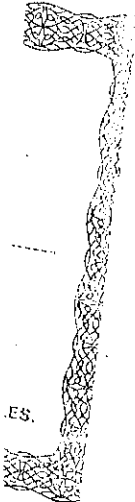
Under Secretary (Admin.)
DOP T
North Block
New Delhi

Copy for information to:

Shri/Smt/Ms. Devi Dayal
S/o Kushi Ram
R/o # 6333 Rajiv Vihar
M.H.C., Manimajra, Chandigarh 160101

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

NOTE:- A IPO's of Re 10, each (12F 382645, 12F 382646
12F 382647, 12F 382648) returned with
original.



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