

No. 13012/42/2013-K.VI
Government of India
Ministry of Home Affairs
Jammu and Kashmir Division

North Block, New Delhi
Dated 30th January, 2014

To,

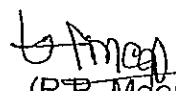
Dr. (Smt.) Praveen Kumari Singh
Director(SR)&CPIO, CS Division

Subject: Information sought under the Right to Information Act, 2005.

I am directed to refer to your OM NO. V-17012/78/2013-PR dated 06.01.2014 w.r.t. RTI application of Shri Praveen Jain seeking information under RTI Act, 2005 on point No. 11 and 12 regarding number of various types of communications such as OM letter, Notification etc. issued by MHA in Hindi.

In this context it is stated that the matter has been examined in the light of definition of "Information" as given in section 2(f) of the RTI Act, 2005 and the information sought by the applicant does not come within the definition of "Information as given in section 2(f) of the RTI Act, 2005.

Yours faithfully,


(R.P. Meena) 31/1/2014
Deputy Secretary(K.II) & CPIO

P.D. 13, 14

o/c

No. V-17012/78/2013-PR
 Government of India/Bharat Sarkar
 Ministry of Home Affairs/Grih Mantralya
 (CS Division)

5th floor, "B" Wing NDCC-II Bldg
 Jai Singh Road, New Delhi-110001
 6th January, 2014

OFFICE MEMORANDUM

Sub: Information sought by Shri Praveen Jain, Under RTI Act, 2005- regarding


Reference: Letter No. 21020/1/2012- Hindi, dated 9.12.2013, forwarded to all CPIO of
 M/o Home Affairs

The Undersigned is directed to refer to letter no. 21020/1/2012-Hindi, dated 9.12.2013 forwarded to all CPIO of M/o Home Affairs. Under the aforementioned letter, Shri Praveen Jain has sought the information on point 11 and 12 of his RTI application dated 5.11.2013. The subject pertains to numbers of various types of communications such as OM, Letter, Notification etc. issued by this Ministry in Hindi.

2. The matter has been examined in the light of definition of "Information" as given in Section 2 (f) of RTI Act, 2005. The matter has been also discussed internally and a view taken that the requisite information pertains to the collection and compilation of data which does not come within the definition of "Information" as given in Section 2 (f) of RTI Act, 2005. Hence the same may be denied as per provision of the RTI Act, 2005.

3. However, as the applicant has sought information on the above lines from all the CPIOs of MHA, a consolidated view needs to be taken in the case by all the Divisions. Hence all the concerned CPIOs of M/o Home Affairs are requested to furnish their views/comments to Dr. (Smt.) Praveen Kumari Singh, Dir (SR) & CPIO, CS Division.

Encls: as above.


 Rajnish Kwatra,
 Under Secretary (PR)
 Telefax No. 23438185

Copy to:-

All CPIOs of M/o Home Affairs as per list annexed

~~U (K-D)~~
~~6/1/14~~
~~1/1~~

©
भारत सरकार
विधि और न्याय मंत्रालय
GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE



सूचना का अधिकार अधिनियम, 2005

(2005 का अधिनियम संख्यांक 22)

[1 फरवरी, 2011 को यथाविद्यमान]

Right to Information Act, 2005

(Act No. 22 of 2005)

[As modified up to 1st February, 2011]

2011

महाप्रबंधक, भारत सरकार मुद्रणालय, मिनटो रोड, नई दिल्ली-110 002 द्वारा मुद्रित तथा
प्रकाशन-नियंत्रक, भारत सरकार, सिविल लाईन्स, दिल्ली-110 054 द्वारा प्रकाशित।

मूल्य : (देश में) : ₹ 23.00; (विदेश में) £ 0.33 या \$ 0.47

THE RIGHT TO INFORMATION ACT, 2005

ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY

SECTIONS

1. Short title, extent and commencement.
2. Definitions.

CHAPTER II

RIGHT TO INFORMATION AND OBLIGATIONS OF PUBLIC AUTHORITIES

3. Right to information.
4. Obligations of public authorities.
5. Designation of Public Information Officers.
6. Request for obtaining information.
7. Disposal of request.
8. Exemption from disclosure of information.
9. Grounds for rejection to access in certain cases.
10. Severability.
11. Third party information.

CHAPTER III

THE CENTRAL INFORMATION COMMISSION

12. Constitution of Central Information Commission.
13. Term of office and conditions of service.
14. Removal of Chief Information Commissioner or Information Commissioner.

CHAPTER IV

THE STATE INFORMATION COMMISSION

15. Constitution of State Information Commission.
16. Term of office and conditions of service.

THE RIGHT TO INFORMATION ACT, 2005

NO. 22 OF 2005

[15th June, 2005.]

An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

WHEREAS the Constitution of India has established democratic Republic;

AND WHEREAS democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed;

AND WHEREAS revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information;

AND WHEREAS it is necessary to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal;

NOW, THEREFORE, it is expedient to provide for furnishing certain information to citizens who desire to have it.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Right to Information Act, 2005.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) The provisions of sub-section (1) of section 4, sub-sections (1) and (2) of section 5, sections 12, 13, 15, 16, 24, 27 and 28 shall come into force at once, and the remaining provisions of this Act shall come into force on the one hundred and twentieth day of its enactment.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly—

(i) by the Central Government or the Union territory administration, the Central Government;

(ii) by the State Government, the State Government;

(b) “Central Information Commission” means the Central Information Commission constituted under sub-section (1) of section 12;

Right to Information Act, 2005

(Chapter I.—Preliminary.)

(c) "Central Public Information Officer" means the Central Public Information Officer designated under sub-section (1) and includes a Central Assistant Public Information Officer designated as such under sub-section (2) of section 5;

(d) "Chief Information Commissioner" and "Information Commissioner" mean the Chief Information Commissioner and Information Commissioner appointed under sub-section (3) of section 12;

(e) "competent authority" means—

(i) the Speaker in the case of the House of the People or the Legislative Assembly of a State or a Union territory having such Assembly and the Chairman in the case of the Council of States or Legislative Council of a State;

(ii) the Chief Justice of India in the case of the Supreme Court;

(iii) the Chief Justice of the High Court in the case of a High Court;

(iv) the President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the Constitution;

(v) the administrator appointed under article 239 of the Constitution;

(f) "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;

(g) "prescribed" means prescribed by rules made under this Act by the appropriate Government or the competent authority, as the case may be;

(h) "public authority" means any authority or body or institution of self-government established or constituted—

(a) by or under the Constitution;

(b) by any other law made by Parliament;

(c) by any other law made by State Legislature;

(d) by notification issued or order made by the appropriate Government, and includes any—

(i) body owned, controlled or substantially financed;

(ii) non-Government organisation substantially financed, directly or indirectly by funds provided by the appropriate Government;

(i) "record" includes—

(a) any document, manuscript and file;

(b) any microfilm, microfiche and facsimile copy of a document;

(c) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and

(d) any other material produced by a computer or any other device;

Right to Information Act, 2005

(Chapter I.—Preliminary. Chapter II.—Right to information and obligations of public authorities.)

(j) "right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to—

(i) inspection of work, documents, records;

(ii) taking notes, extracts or certified copies of documents or records;

(iii) taking certified samples of material;

(iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;

(k) "State Information Commission" means the State Information Commission constituted under sub-section (1) of section 15;

(l) "State Chief Information Commissioner" and "State Information Commissioner" mean the State Chief Information Commissioner and the State Information Commissioner appointed under sub-section (3) of section 15;

(m) "State Public Information Officer" means the State Public Information Officer designated under sub-section (1) and includes a State Assistant Public Information Officer designated as such under sub-section (2) of section 5;

(n) "third party" means a person other than the citizen making a request for information and includes a public authority.

CHAPTER II

RIGHT TO INFORMATION AND OBLIGATIONS OF PUBLIC AUTHORITIES

3. Right to information.—Subject to the provisions of this Act, all citizens shall have the right to information.

4. Obligations of public authorities.—(1) Every public authority shall—

(a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;

(b) publish within one hundred and twenty days from the enactment of this Act,—

(i) the particulars of its organisation, functions and duties;

(ii) the powers and duties of its officers and employees;

(iii) the procedure followed in the decision making process, including channels of supervision and accountability;

(iv) the norms set by it for the discharge of its functions;

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

(vi) a statement of the categories of documents that are held by it or under its control;

(vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;

Right to Information Act, 2005

(Chapter II.—Right to information and obligations of public authorities.)

(viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;

(ix) a directory of its officers and employees;

(x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

(xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

(xiii) particulars of recipients of concessions, permits or authorisations granted by it;

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

(xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;

(xvi) the names, designations and other particulars of the Public Information Officers;

(xvii) such other information as may be prescribed;

and thereafter update these publications every year;

(c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;

(d) provide reasons for its administrative or quasi-judicial decisions to affected persons.

(2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information *suo motu* to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

(3) For the purposes of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

(4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed.

Explanation.—For the purposes of sub-sections (3) and (4), “disseminated” means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

5. Designation of Public Information Officers.—(1) Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.

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LIST OF CENTRAL PUBLIC INFORMATION OFFICERS (CPIOs) OF MHA

Sl No.	Name & Designation of the officer (S/Shri/Smt.)	Address
1	Shyamala Mohan Director (A&V)	North Block, New Delhi-110001
2	V.K. Rajan Deputy Secretary (E)	North Block New Delhi -110 001
3	Srinibas Pradhan Deputy Secretary (A)	North Block New Delhi - 110001
4	Dushyant Singh, C.S.O. and HOD	North Block, New Delhi-11001
5	Avadhesh Kumar Mishra, Director (OL)	North Block New Delhi-110001
6	V. Candavelou Director (BM-II)	NDCC-II Building, Jai Singh Road, New Delhi
7	Rais Ahmed, Director (BM-I)	NDCC-II Building New Delhi
8	Amit Nirmal. Deputy Secretary (BM-III)	NDCC-II Building New Delhi
9	S.M. Kandwal Deputy Secretary (BM-IV)	NDCC-II Building New Delhi
10	Dr. Praveen Kumari Singh Director (SR)	NDCC-II Building New Delhi-110001
11	Ashutosh Jain Director (CS-II)	NDCC-II Building New Delhi
12	K. Muralidharan Director (CS-I)	NDCC-II Building New Delhi
13	Dy. Secretary (Coord)	North Block, New Delhi-110 001
14	Joginder Prasad Under Secretary (Coord-II)	North Block New Delhi - 110001
15	Gautam Ghosh, Deputy Secretary (DM-I)	NDCC-II Building New Delhi
16	Sanjay Agarwal, Director (DM-III)	NDCC-II Building New Delhi.
17	Ashok Shukla, Deputy Secretary (DM-II-A)	NDCC-II Building New Delhi.
18	Sandeep Sarkar	North Block,

	Director (Fin-Home)	New Delhi 110 001
19	Sumant Narain Deputy Secretary (Fin-Pers)	North Block, New Delhi 110 001
20	R.C. Nayak Director (FF-N)	N.D.C.C.-II Building New Delhi-110001
21.	Shyam Sunder, Deputy Secretary (Rehab)	N.D.C.C.-II Building New Delhi-110001
22.	D.K. Goel Deputy Secretary (FF-G)	N.D.C.C.-II Building New Delhi-110001
23.	Deputy Secretary (FF-B)	N.D.C.C.-II Building New Delhi-110001
24.	Ms. Pravin Horo Singh Director (Foreigners-B)	N.D.C.C.-II Building New Delhi
25	Vikas Srivastava Under Secretary (F)	N.D.C.C.-II Building New Delhi
26	A. K. Sinha Director (MU/I)	N.D.C.C.-II Building New Delhi
27	Mahender Kumar Deputy Secretary (Citizenship)	N.D.C.C.-II Building New Delhi
28.	N.I. Chowdhary Dy. Secretary (FCRA)	N.D.C.C.-II Building New Delhi
29.	Dr. R.K. Mitra Joint Secretary (NI)	N.D.C.C.-II Building, New Delhi
30	Director (HR.II)	N.D.C.C.-II Building, New Delhi
31.	Deputy Secretary (HR)	N.D.C.C.-II Building New Delhi.
32.	Rakesh Mittal Director (IS-I)	North Block, New Delhi-110001
33.	U.S.P. Kushwaha Director (CFT)	North Block, New Delhi-110001
34.	Rajesh Kumar Gupta Director (IS-III)	North Block, New Delhi-110001
35	Ramesh Kumar Suman Director (IS-II)	North Block, New Delhi-110001
37	Joint Secretary (Security)	N.D.C.C.-II Building New Delhi.
38	N.K. Job Deputy Secretary (Legal)	N.D.C.C.-II Building New Delhi.
39 ✓	Director (K-II)	North Block New Delhi

40.	Vijay Kumar Deputy Secretary (K -III)	North Block, New Delhi-110001.
41.	Smt. Sulekha Deputy Secretary (K - I)	North Block, New Delhi-110001
42.	J.P. Agrawal, Joint Secretary (Judicial)	N.D.C.C.-II Building New Delhi.
43.	R.S. Berwal, Director (NM)	North Block, New Delhi-110001
44.	K.S. Kusala Kumar, Deputy Secretary (NM-II)	North Block, New Delhi-110001
45.	Daljit Singh Chawdhary Director (ANO-I)	North Block, New Delhi
46.	Deepak Kumar Kedia, Deputy Secretary (ANO)	North Block, New Delhi
47.	Dr. M.C. Mehanathan Joint Secretary (NE-I)	North Block, New Delhi-110001
48.	J.P.N. Singh Director (NE-II)	North Block, New Delhi-110001
49.	G. Sridharan, Deputy Secretary (NE-II)	North Block, New Delhi
50.	Ajay Kanojia Deputy Secretary (NE)	North Block, New Delhi-110001
51.	Prashant Nikam Director (Police)	North Block, New Delhi-110001
52.	Shantanu Director (Pers)	North Block, New Delhi
53.	Harish Chander Deputy Secretary (Pers)	North Block, New Delhi
54.	S.D. Sharma Director (PMR)	Jaisalmer House, New Delhi-110011
55.	S.K. Jain Director (Provisioning)	Jaisalmer House, New Delhi-110011
56.	C.P.S. Nonghulo Director (PP)	NDCC-II Building New Delhi.
57.	B.K. Pant Deputy Secretary (PP)	N.D.C.C.-II Building New Delhi.
58.	Girish Kumar Director (VS)	N.D.C.C.-II Building New Delhi.
59.	Under Secretary(DP-II)	North Block New Delhi
60.	A.K. Das Under Secretary (Delhi)	North Block, New Delhi-110001

61	Anuj Sharma Director (Services)	North Block, New Delhi-110001
62	Neeta Gupta Deputy Secretary (ANL)	North Block, New Delhi-110001
63	Pulluru Janakiram Library Information Officer.	North block, New Delhi.
64.	Rajesh Kumar Controller of Accounts (H)	North Block, New Delhi.