

Sl. No 301

No.A-43020/01,2014-RTI
Government of India Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, Dated the 18/2/2014.

OFFICE MEMORANDUM

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

The undersigned is directed to forward herewith an application dated
3.1.2 2014 under the RTI Act, 2005 of
Shri Smt/Kum. Brijadaschi Dutta.....
(received in this Ministry on 4.2.2014 /by transfer from
.....) to
IS-I..... 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.
28803..... dated 5.1.2/2014 (copy enclosed)/ ~~not paid the fee since he~~
~~claims to/belongs to the Below Poverty Line (BPL) Category.~~

Encl: As above.


(S. Samanta)

Under Secretary to the Govt. of India.

1 transfer
to Dir (IS-I)
w/s 6(3)

To
Director (IS-I)
M/o Home Affairs
North Block, New Delhi

RTI-301/Dir (IS-I)/17
5/3/17

Copy for information to:

Shri/Smt/Ms. Brijadaschi Dutta
91/A/ IIrd Floor, Sukhbir Sadan
Prateek Market, Minarke
New Delhi - 110067

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

for
dated 5/3

गृह मंत्रालय
Ministry of Home Affairs

जी. ए. आर. 6 / G. A. R. 6
(नियम 22(1) देखें) (See Rule 22(i))

रसीद / RECEIPT

सं. / No. 28803

दिनांक 20
Dated.....20.....

श्री/श्रीमती/सुश्री
Received From Shri/Smt./Smt.....

के पत्र संख्या/संदर्भ संख्या के साथ
with Letter No./Reference No.....

के दिनांक 20
Dated.....20.....

बैंकर्स चेक/ड्राफ्ट/भारतीय पोस्टल ऑर्डर संख्या
Banker's Cheque/Draft/Indian Postal Order No.....

के रूप में रुपये की नकद धनराशि
the sum of Rupees by Cash.....

सूचना के अधिकार अधिनियम, 2005 के शुल्क हेतु प्राप्त की।
on account of fee under Right to Information Act 2005.

आद्यक्षर /Initials

रुपये / Rs. _____

पदनाम / Designation

R.T.

983/R7I/2014
18/2/14

Ministry of Home Affairs
New Delhi
03 FEB 2014
16:13 P

February 3, 2014

Central Public Information Officer,
Ministry of Home Affairs,
North Block,
New Delhi-110 001

Sub: Request under RTI Act, 2005 on Hon'ble Home Minister's letters to Chief Ministers on wrongful arrest of Muslim youths in terror related cases.

Dear Sir/Madam,

- I. It has widely been reported in the media (September/October, 2013) that the Shri Sushil Kumar Shinde, Hon'ble Home Minister has written letter/letters to Hon'ble Chief Ministers of different states asking them to ensure that no Muslim youths are detained wrongfully in terror related cases, and strict action should be taken against police officers for such "mala fide" arrests (Annexure-1).
- II. It was further reported in that on January 19, 2014 that Hon'ble Home Minister intended to write again to the Chief Ministers to form committees to scrutinize cases of detention of accused belonging to the minority communities and take expeditious decisions (Annexure-2)

In view of the above propositions, the CPIO, MHA is requested to kindly provide me **Certified Copies** of the following under the provisions of the **RTI Act, 2005**-

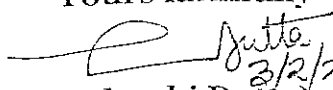
1. Master copies of the actual letter/communiqué/circulars by the Hon'ble Home Minister referred at points I & II.
2. Memoranda reportedly received from civil society groups/victims on/of wrongful arrests prompting the Hon'ble Home Minister to write those letters.
3. Complete file notes culminating in the decision of the Hon'ble Home Minister to write those letters.
4. Response/reactions to the above letters from First Secretaries/Principal Secretaries/Home Secretaries of different states.

The aforesaid documents might be mailed at the following address within 30 days -

Shri Priyadarshi Dutta
91/A/11nd Floor, Sukhbir Sadan,
Prateek Market,
Munirka,
New Delhi-110 067

A IPO of Rs. 50/- only is attached as the fee and expected cost of photocopying

Yours faithfully


3/2/2014
(Priyadarshi Dutta)

RTI
Dutta (Dutta)

P.D.

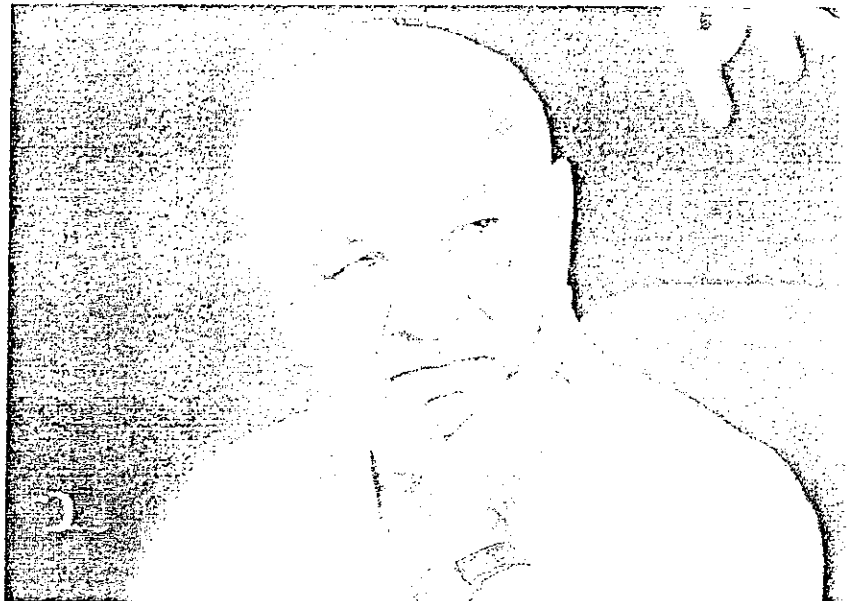
Annexure-1

News » National

Published: September 30, 2013 14:43 IST | Updated: September 30, 2013 23:37 IST

States asked to ensure no Muslim is wrongly framed in terror cases

Sandeep Joshi



Home Minister Sushilkumar Shinde. File photo

Calling it unconstitutional, BJP accuses Home Minister of trying to divide nation on communal lines

Union Home Minister Sushilkumar Shinde has, in a letter to all Chief Ministers, asked them to ensure that no innocent Muslim youth is wrongfully detained in terror cases. He has favoured strict action against police officers indulging in such "mala fide" arrests.

The letter, released on Monday, has stirred yet another political controversy with the BJP accusing Mr. Shinde of "dividing the country on communal lines."

"The Central government has received several representations alleging harassment of innocent Muslim youth by law enforcement agencies... Some of the minority youth have started feeling that they are deliberately targeted and deprived [of] their rights. The government has to ensure that no innocent person is subjected to undue harassment," Mr. Shinde said in his letter.

Constitute special courts

Emphasising that the government is committed to combating terrorism in all forms, the Minister asked the States to constitute, in consultation with High Courts, special courts for speedy trial of these cases, and give priority to terror cases.

Mr. Shinde further said though ensuring zero tolerance against terrorism was a must; the law enforcement agencies should maintain communal and social harmony while dealing with terror cases.

Strict and prompt action should be taken against erring police officers where there are mala fide arrests of any member of minority community. The wrongfully arrested person should be released immediately and suitably compensated and rehabilitated to join the mainstream, he added.

The issue of alleged wrongful arrests is being repeatedly raised at various forums. While MPs have demanded clarifications on the same in Parliament. Minority Affairs Minister K. Rahman Khan had also written to Mr. Shinde expressing concern over "wrong arrests" of Muslim youths in terror cases. Mr. Khan also highlighted alleged misuse of the Unlawful Activities Prevention Act (UAPA) against minorities and called for special courts to ensure speedy trial of all terror cases.

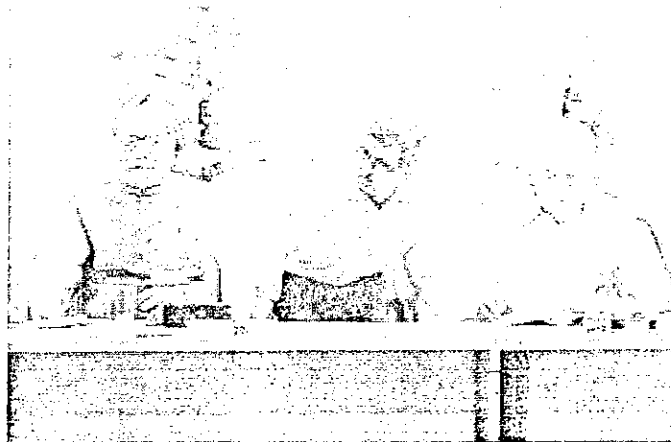
Significantly, in May this year, the Centre set up 39 special courts under the National Investigation Act Act to take up terror-related cases.

Annexure-2

Print Close

Sushilkumar Shinde to write to CMs again on cases against minority youths

PTI | Bhubaneswar, January 19, 2014 | 21:07



Shinde said the committees should be different from the ones that come under the provision of POTA. After his recent advisory to state governments on release of minority youths allegedly wrongfully booked, Union Home Minister Sushilkumar Shinde on Sunday said he would soon write a second letter asking state chief ministers to set up committees to scrutinise such cases.

"I will write a second letter to the states which will be sent in two to three days. Chief ministers will be asked to form committees to scrutinise cases of detention of accused belonging to minority communities and take expeditious decisions." Shinde told reporters on the sideline of the 9th Raising Day function of NDRF at Mundali near Cuttack.

The committees should be different from the ones that come under the provision of POTA (Prevention of Terrorism Act, 2002), the Home Minister said, pointing out that minority does not mean only Muslims and that there are other communities which come under the definition of minority.

The chief ministers would be advised to scrutinise expeditiously the cases pending against youths of various minority communities who were languishing in jails for about 5-10 years, he said.

He said the Ministry of Home Affairs received a number of representations from different people which claimed that their kin were in jails for years without facing trial in the court.

"That is why I had written to chief ministers to get matters inquired and those who would be found not guilty should be released from jails immediately," he said.

Asked if the BJP would not take political benefit out of it, Shinde said, "If Bharatiya Janata Party wants to

RTI MATTER
MOST URGENT

No. II/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 // March, 2014

OFFICE MEMORANDUM

Subject: Application of Shri Priyadarshi Dutta under the RTI Act, 2005 forwarded by RTI Cell-reg.

The undersigned is directed to enclose an RTI application of Shri Priyadarshi Dutta, received in this Section on 05.03.2014, forwarded by RTI Cell vide O.M. No.A-43020/01/2014-RTI dated 18.02.2014, seeking information under the RTI Act, 2005.

2. The IS-I Division (IS-II Desk), Ministry of Home Affairs has no information in this regard. However, the matter may pertain to Director(IS-II). The RTI application is, therefore, transferred to Director(IS-II) under Section 6 (3) (ii) of the RTI Act, 2005, with a request to furnish the requisite information on the above RTI directly to the Applicant.

Encl: As above.


(Rakesh Mittal)
Director (IS-I)
OK

To
Director (IS-II), MHA, North Block, New Delhi.

Copy for information to:

1. Shri S. Samanta, US(RTI), MHA, North Block.
2. Shri Priyadarshi Dutta, 91/A/ IInd Floor, Sukhbir Sada, Prateek Market. Munirka, New Delhi-110067.

Handwritten notes:
11/3/2014
ms

