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SPEED POST 91

Immediate
RTI Matter

No.17014/2 /2014-BM VI
MINISTRY OF HOME AFFAIRS
DEPARTMENT OF BORDER MANAGEMENT

5th Floor, NDCC-II Building,
Jai Singh Marg, New Delhi.

Dated the 14th Feb, 2014

Subject: Application under the RTI Act-2005- regarding.

Reference RTI Application dt.23/11/2012 from Dr. Gulshan Kumar Kathuria, received in this Office on 13.02.2014 (vide MHA, FFR Division's letter No. 36/04/2011-R&SO dt.7th Feb, 2014).

2 Since, the subject matter in the application does not come under the purview of Department of Border Management, MHA. The requisite information in respect of all your queries may be treated as "NIL".

3. An Appeal if any, against this reply may be made within 30 days to Sh.Sanjay Kumar Mishra, Joint Secretary (BM) Appellate Authority, Ministry of Home Affairs, 5th Floor, NDCC.II Bldg., Jai Singh Road, N/Delhi.110001.

Encl: As above

(Rais Ahmed)
Director (BM.I) & CPIO
14/2/2014

14 FEB 2014

Dr. Gulshan Kumar Kathuria, No.168, Yamuna Street, Yamuna Nagar,
Haryana (Pin: 135001).

Copy to:-

- i) S.Shyam Sunder, Deputy Secretary & CPIO (with reference to your letter mentioned above).
- ii) Shri S.Samanta, Under Secretary, RTI Cell, MHA, North Block, New Delhi.

R-09/DIR BM-I
13/02/14

17(2)

Most Immediate
RTI Matter

90

No.36/04/2011-R&SO
Government of India
Ministry of Home Affairs (FFR Division)

NDCC-II Building, Jai Singh Road,
New Delhi, dated the 7th February, 2014

Subject:- Information sought under RTI Act, 2005 – Regarding.

Enclosed please find herewith a RTI application dated 23.11.2012 (received by answering CPIO on 20.12.2012 through Director(Foreigners) & CPIO, Ministry of Home Affairs vide their OM No.28020/105/2012-F.III dated 20.12.2012) from Dr. Gulshan Kumar Kathuria, No. 168, Yamuna Street, Yamuna Nagar, Haryana (Pin: 135001).

2. The information sought by the applicant in respect of points 1,2 & 4 is not maintained in the FFR Division, as such not available with the signing CPIO. The information in respect of point 3 has been provided to the appellant. The same was conveyed to the appellant on 18/01/2013. The appellant then approached the CIC on 10.04.2013 in a second appeal and CIC has directed Ministry of Home Affairs to provide the information to the appellant on the points mentioned in the RTI application within thirty days of the CIC's order dated 15.01.2014 (which was received by the CPIO on 27.01.2014). A copy of the CIC's order is enclosed herewith.

3. The points on which information required by the Appellant are given below:-

- (i) the number of casualties resulting from the partition of 1947, including the community-wise break-up;
- (ii) the number of displaced persons who crossed over from India to Pakistan and from Pakistan to India;
- (iii) whether any Commission of Enquiry was set up. If so, a detailed report of the Commission set up and its report; and
- (iv) If there is no enquiry report, the reasons for it.

Use (as per) 2
12/2/14

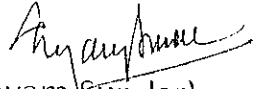
13/2/14

Smt. Bindu
Avt for
a/c M.

.....2/-

4. All the CPIOs, in the Ministry of Home Affairs are requested to provide the information available to the Appellant within the time prescribed by CIC.

Hindi version will follow


(Shyam Sunder)

Deputy Secretary & CPIO

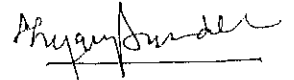
Encl.: As above

To

All CPIOs in Ministry of Home Affairs as per list attached.

Copy for information to:

- (i) Dr. Gulshan Kumar Kathuria, No. 168, Yamuna Street, Yamuna Nagar, Haryana (Pin: 135001).
- (ii) Central Information Commission Club Building, Old JNU Campus, New Delhi w.r.t Decision No. CIC/SS/A/2013/001266/VS/05826 Appeal No. CIC/SS/A/2013/001266/VS dated 15.01.2014.



(Shyam Sunder)

Deputy Secretary & CPIO

प्रेषक:- डा० गुलशन कुमार कश्यप

168, मधुना गली, मधुना नगर (हरिद्वार) पिन-135001.

सेवा में,

कैन्द्रीय जन सूचना अधिकारी
गृह मंत्रालय भारत सरकार
भारत ब्लाक, नई दिल्ली - 1

महोदय/महोदया,

आवेदक RTIA-2005 के तहत निम्नलिखित जानकारी
चाहता है:-

1. 15 अगस्त 1947 को भारत-पाकिस्तान विभाजन के तुरन्त बाद हुई विनाशालीला में कुल कितने लोगों के मारे जाने का रिकार्ड मौजूद है?
2. इस विनाशालीला में हिन्दु, मुसलमान व अन्य जाति वर्ग की मृत्यु हुई का ब्योरा देने का कष्ट करें।
3. भारत-पाक बंटवारे के समय कितने हिन्दु पाकिस्तान से भारत आये तथा कितने मुसलमान पाकिस्तान-जैसे गोमे, की संख्या बतलाने का कष्ट करें?
4. क्या कभी इस विनाशालीला की जांच हेतु केन्द्र सरकार द्वारा किसी जांच कमेटी का गठन किया गया यदि हाँ, तब इस जांच रिपोर्ट की कॉपी देने का कष्ट करें, यदि न, तब कारण बतलाएं की जांच क्यों नहीं की गई/करवाई गई।
5. अपने प्रथम आपत्ती अधिकारी का पदनाम, पता-व्यवहार का पता अवश्य लिखकर भेजें।

माँगी गई जानकारी की सत्यापित कॉपी केवल हिन्दी में रजिस्टर्ड टाक द्वारा ही भेजें। आवेदक ने निम्नलिखित फीस रुपये 10/- का पोस्टल ऑर्डर नम्बर 12F216158 संलग्न कर दिया है। आवश्यकता होने पर अतिरिक्त अनुरोध भी देने का हेंगार है।

दिनांक - 23/11/2012

स्थान - मधुना नगर।

आवेदक

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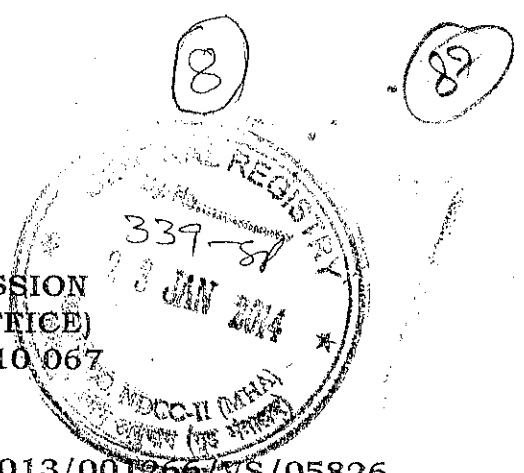
(डा० गुलशन कुमार कश्यप)

मो०-09991940001

DS/R 8c50

229564/Rx80/14
27/1

CENTRAL INFORMATION COMMISSION
CLUB BUILDING (NEAR POST OFFICE)
OLD JNU CAMPUS, NEW DELHI-110 067
TEL: 011-26179548



Decision No.CIC/SS/A/2013/001266/VS/05826
Appeal No.CIC/SS/A/2013/001266/VS

Dated:15-1-2014

Appellant: Dr. Gulshan Kumar Kathuria
H.No.168, Jamia Gali
Yamunanagar (Haryana)

Respondent: ✓ Public Information Officer,
Ministry of Home Affairs
CPIO/Dir (R&S.O.),FFR Dn, NDCC-II
Bldg, Jai Singh Road, Sansad Marg
New Delhi-110001.

Date of Hearing: 1-1-2014.

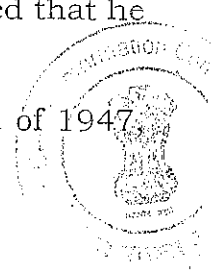
ORDER

Facts:

1. The appellant filed an RTI application on 23-11-2012 seeking information about the casualties during the 1947 Partition.
2. The CPIO responded on 18-1-2013. Some information was provided while other information was denied on the ground that it was not maintained by the respondent organization. The appellant filed an appeal with the first appellate authority (FAA) on 29-1-2013. The FAA responded on 6-3-2013 and upheld the decision of the CPIO. The appellant approached the Commission on 10-4-2013 in a second appeal.

Hearing:

3. I heard the appellant through video-conferencing.
4. He referred to his RTI application of 23-11-2012 and stated that he wants the following:
 - (a) the number of casualties resulting from the partition of 1947 including the community-wise break-up;



(b) the number of displaced persons who crossed over from India to Pakistan and from Pakistan to India;

(c) whether any Commission of Enquiry was set up. If so, a detailed report of the Commission set up and its report; and

(d) if there is no enquiry report, the reasons for it.

5. The appellant stated that he has received three letters from MHA on 20-12-2012, 17-1-2013 and 18-1-2013 in which the various departments of MHA have, instead of providing the information, simply told him to write to this division or that division. The appellant stated that he expects the MHA to collect the information from different divisions and provide him the information as available in the Ministry of Home Affairs.

6. The respondent did not participate in the hearing.

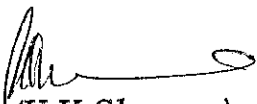
Decision:

7. The respondent is directed to procure the information as available on the points in para 4 above from the relevant divisions of the MHA and provide it to the appellant within 30 days of this order.

Appeal is disposed of. Copy of this order be given free of cost to the parties.


(Vijai Sharma)
Information Commissioner

Authenticated true copy:


(V.K.Sharma)
Designated Officer

