No. A-43020/ 55 /2014-RTI Government of India/Bharat Sarkar Ministry of Home Affairs/Grih Mantralaya

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New Delhi, Dated the

June, 2014.

## **ORDER**

Subject: 1<sup>st</sup> Appeal filed under Section 19 (1) of the Right to Information Act, 2005.

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Whereas Shri Ashok Kumar, vide his application dated 02/12/2013 under the RTI Act, 2005 (received in this Ministry on 11/12/2013) had sought information from this Ministry on various subjects.

- 2. Whereas the information sought on several points was not covered under the definition of 'information' specified under Section 2 (f) of the RTI Act, 2005 and that the information sought on some points was scattered among various public authorities. Accordingly, the CPIO vide his reply dated 28/01/2014, had informed the applicant.
- 3. Whereas Shri Ashok Kumar filed a 1<sup>st</sup> Appeal dated Nil under Section 19 (1) of the RTI Act, 2005 (received on 27/03/2014) wherein he has stated that the reply of the CPIO stating the information being scattered among several public authorities was not legal.
- 4. Whereas the appellant is informed that under the provisions of the RTI Act, 2005, a public authority is under obligation to furnish only that information (to an applicant) which exists in the records and is held by/under the control of that Public Authority. Accordingly, the reply furnished by the CPIO was in order. However, Point-wise reply in respect of the application is as under.

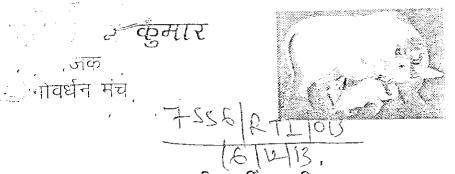
| 61    | City of Information         | Remarks                                      |
|-------|-----------------------------|--|
| Sl.   | Gist of Information         | Keniai ka                                    |
| No.   | sought                      |  |
| 1.    | District-wise & State-wise  | Application is being transferred to National |
|       | details of various crimes   | Crime Records Bureau for furnishing          |
|       | during the last 5 years     | available information.                       |
| 2.    | Budget details of Ministry  | Application is being forwarded to Finance    |
|       | of Home Affairs             | Division of this Ministry.                   |
| 3 (i) | Employees of Central &      |  |
|       | State Govts. availing Govt. | Urban Development for furnishing available   |
|       | accommodation               | information                                  |
| (ii)  | Expenditure by Central      | Information scattered among Police of        |
|       | Govt/State Govts. on        | various States/UTs. However, application is  |
|       | cleaning/maintenance of all | being transferred to Delhi Police for        |
|       | Police Stations             | furnishing available information.            |
| (iii) | Expenditure on patrolling   |  |
|       | allowances of Police        | -do-   |
|       | Officers by Central/State   |  |

Copy along with copy of application to:

- 1. The Director, National Crime Records Bureau, East Block-7, R.K. Puram, New Delhi (for Points 1, 4 & 8).
- 2. Commissioner of Police, Delhi Police Headquarters, I.P. Estate, New Delhi [for Points No. 3 (ii) & (iii)].
- 3. The CPIO, Ministry of Urban Development, Nirman Bhawan, New Delhi [for Point No. 3 (i)].
- 4. Director (CS-II), MHA, NDCC-II Building, New Delhi (for Point No. 12).
- 5. Director (Finance-Home), MHA, North Block, New Delhi (for Point . 2).
- 6. Director (PMR), MHA, Jaisalmer House, 26 Man Singh Road, New Delhi (for Points No. 5, 8 & 9).
- 7. Section Officer (IT Cell), MHA, North Block for uploading the RTI application, appeal and reply in the MHA web site with search facility based on key words under the Heading RTI Act, Information under section 4 (1)(b) of the Act.

(Satpal Chauhan

Joint Secretary & Appellate Authority



सम्पर्क — मकान नं० 170 वार्ड नं० 19 दूरदर्शन प्रसारण केन्द्र देवरिया, (देवपुरी) सदर जिला देवरिया उ०प्र० — 274001 मो० नं० — 91 — 9125381528, 9452022706 Email - ramrajya2012b@gmail.com

इक्कीसवीं सदी बनाम उज्जवल भविष्य

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No. A-43020/01/2014-RTI Government of India/Bharat Sarkar

Ministry of Home Affairs Grih Mantralaya

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New Delhi, Dated the 28th January, 2014.

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

Please refer to your application dated 02/12/2013 (received in this Ministry on 11/12/2013) wherein you have sought information about "State-wise and District-wise details of various kinds of crimes, expenses on the maintenance of various police stations in India and various other topics."

- 2. It is stated that the information sought in the application on various subjects is not available with/maintained by any Department/Division/Wing of the Ministry of Home Affairs. This huge information is scattered among various public authorities/State Govts/UT Admns. etc. Therefore, you may obtain the information directly from the concerned authority as specified by the Department of Personnel & Training vide their O.M. dated 12 06 2008 (copy enclosed). Further, you have made conjectures and raised questions/queries on a few points of the application thereby seeking the opinion of the public authority. It is informed that such requests do not come under the definition of information specified under Section 2 (f) of the RTI Act. 2005. Under this Act, an applicant can seek only information (from a public authority) which exists in the records and is held by/under the control of that Public Authority.
- 3. However, some data with regard to crimes in India is available with National Crime Records Bureau. Accordingly, your application is transferred under Section 6 (3) of the RTI Act, 2005 to that public authority. The inadvertent delay in the processing of your application is deeply regretted.
- 4. The Appellate Authority in this regard is Shri Satpal Chauhan, Joint Secretary (Admn.), MHA, North Block, New Delhi.

Encl: As above.

(Spinbas Pradhan) Deputy Secretary (A) & CPIO

Τo

Shri Ashok Kumar, H. No. 960, Ward No. 9 E Near Doordarshan Kendra Disu. Deoria – 274 001 UTTAR PRADESH

Copy along with application dated 02/12/2013 to:

The Director, National Crime Records Bureau, East Block-7, R.K. Puram, New Delhi.