1.45020/01/2014-Pers-II Government of India Ministry of Home Affairs Police.II Division

North Block, New Delhi Dated 8th July, 2014

То

5hri Raj Singh S/o Shri Udda, VPO Lilon, Tehsil & Distt Shamli, Uttar Pradesh -247776

Subject:- Right to Information, Act, 2005 - Reservation of 10% of vacancies in the posts

Sir,

Please refer to your appeal dated 01.05.2014 received through Shri Nintyananda Ray, Under Secretary, (P&P-II/CPIO) Staff Selection Commission, New Delhi vide his letter dated 18.06.2014 on the subject cited above and to furnish the following reply/information:-

upto of the level of the Assistant Commandant in CAPFs - regarding

Sl.No	Information sought	Reply/decision
1	Reasons not to implement the provision of the Gazette Notification dated 4 th October, 2012 in recruitment of Sub-Inspector in Delhi Police, CAPFs and Assistant Sub-Inspector in CISF and Intelligence Officer in NCB Examination, 2013.	Replying to queries such as "Why", "How" etc. which meant to seek reasons or explanation do not fall in the ambit of RTI Act, 2005. Therefore, no information can be given. However, as per DoPT's notification dated 4 th October, 2012, 10% reservation to Ex-Servicemen is applicable to the post upto the level of Assistant Commandant in CAPFs.

Yours faithfully,

(Shantanu)
Director (Pers) & CPIO
323092933

Copy to:-

- 1. Shri Nintyananda Ray, Under Secretary (P&P-II/CPIO), Staff Selection Commission, Block No.12, Kendriya Karyalay Parisar, Lodhi Road, New Delhi with reference to his letter No.2/1/2014-P&P-II dated 18.06.2014.
- 2. IT Cell, MHA for uploading the data on MHA's website.
- 3. Shri S.Samanta, Under Secretary, RTI Cell, MHA, New Delhi with reference to his OM dated 01.07.2014.

(Shantanu)
Director (Pers) & CPIO
323092933

RTI MATTER/TIME BOUND

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

New Delhi, Dated the 177, 2014.

			, 4V14.
	OFFICE	E MEMORANDUM	
	Subject: Application of Shri/Sr	nt/Kum R9J Singh. under the Righ	•••••
	Information Act, 2005.	***** under the Righ	t to
	This Ministry has receive the RTI Act, 2005 from Shri/Sm	ed an application dated 01.15./2014 1/KumRQTSINGL.	under
	from DoPT information pertains to/is mor	ceived on \$2.46/2014) by way of to As the request closely related to the function	ransfer Juested ns of
	for providing information. 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 Receip	pt No. nce he
	Encl: As above.	(S. Samanta) Under Secretary to the Govt.	of India
	То		
(الكمروان	Ministry of Home Affairs, North Block New Delhi.	.(2) Director (Pers1) M/o Heme Affairs North Block, New Dech.	
victent	Copy for information to:		
Se sa sa	Shri/Smt/Ms. Ray Singh. VPO - Lilon, PS & Tch&il - Shan DISH - Shamle - CV	nli P) - 247776	
	*****************************	·	

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







तार पता : स्टासलकाम, नई दिल्ली Telegraphic Address. STASELCOM, NEW DELHI

सं0/No. 2/1/2014-P&P-II

भारत सरकार कर्मचारी चयन आयोग कार्मिक तथा प्रशिक्षण विभाग कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय, ब्लाक सं0 12, केन्द्रीय कार्यालय परिसर, लोधी रोड,

नई दिल्ली

To

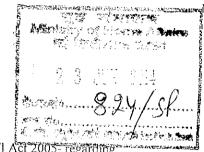
Shri Raj Singh S/o Shri Udda, VPO - Lilon, PS & Tehsil - Shamli, Distt. Shamli (UP) - 247776

Subject: Appeal under Section 19(1) of RTI Act 2005-regarding

Government of India
Staff Selection Commission
Department of Personnel & Training
Ministry of Personnel, Public Grievances & Pensions
Block No.12,
Kendriya Karyalay Parisar, Lodhi Road,

extensive New Delhi

18.6.2014



Sir,

I am directed to refer to your Appeal dated 1.5.2014 received in this office on 13.6.2014 from Dy.Secretary & Appellate Authority vide their letter No.1/3/2014-RTI/Appeal No.170 dated 5.6.2014 on the subject mentioned above and to inform that the reservation for SC/ ST/ OBC/ ExS/etc. categories is available as per extant Govt. Orders and as communicated by the departments reporting vacancies. Vacancies for Ex.Servicemen are reserved only for Group 'C' posts and not for Group 'B' posts as per extant Government orders/instructions. The post of Sub-Inspector in CAPFs in the recruitment of Sub-Inspectors in Delhi Police, CAPFs and Assistant Sub-Inspector in CISF and Intelligence Officer in NCB Examination, 2013 carries pay scale of Rs. 9300-34800 in Pay Band 2 with Grade Pay of Rs 4200/- and is classified as Group 'B' Non-Gazetted, Non-Ministerial as per letter No.I-45023/4/2010-Pers.II dated 29th March 2011 from Ministry of Home Affairs.

If you are not satisfied with the information furnished above, you may prefer an appeal to Sh. Manab Ray, Dy. Secretary & Appelate Authority, SSC, Block No.12, CGO Complex, Lodhi Road, New Dolhi.

Yours faithfully.

(Nintyananda Ray)
Under Secretary (P&P-II/CPIO)

Copy to:

The CPIO, M/o Home Affairs, North Block, New Delhi with the request that the information in respect of reservation of 10% of vacancies in the posts upto of the level of the Assistant Commandant in all para-military forces for Ex-servicemen sought by the applicant in his application (copy enclosed) under section 6(3) of RTI Act, 2005 may be sent to the applicant directly under intimation to the undersigned.

2. Sh.Manab Ray, Deputy Secretary & Appellate Authority w.r.t. his letter No.1/3/2013-RTI/ Appeal No.170 dated 5.6.2014 for information.

(Nintyananda Ŕay) Under Secretary (P&P-II/CPIO)

Dir (Pers)

224 Pall Appel NV \$\$ 17

Raj Singh S/O Udda_VPO Lilen, P/S Shamli, Teh Shamli, Distt Shamli, Pin 247776

State Uttar Pradesh

SILOME

Shri Manab Ray, Cy. Secy & Appellate Authority Staff Selection Commission, Elock No.12, CGO Complex, Ledhi Road, New Delhi.

assuance of Information (appeal under RTI Act 2005)

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. Sciente of India: Extraordinary Part II-Sec 3 (i) dt 04 Oct 2012, File No. 36034/1/2006-Satt. (Res.) Signed by Mr. Manoj Joshi, Jt. Secy. to the Govt of India.

2 Corrigendum by Staff Selection Commission (P&P-II Section) dt 14 Jun 2013.

3. Result declared by Staff Selection Commission for CAPFs Sub Inspectors Exam -2013 on 15 Apr 2014.

4 Reply by CPIO. SSC, Letter No. 2/1/2014 -P&P-II dt 28 Apr 2014.

With due respect I lay down the following few lines for your kind consideration please. At reply/information provided by CPIO, Mr. Ashok K. Vijay (Letter No. 2/1/2014 -P&P-II dt 28 Apr 2014; that reservation for Ex-servicemen is available as per extant Government orders and that Selection Commission's corrigendum dt 14 Jun 2013 for the post of Sub -Inspector in CAPFs. Sir, CPIO didn't mention RECRUITMENT OF SUB-INSPECTORS IN DELHI POLICE, WARES AND ASSISTANT SUB-INSPECTOR IN CISE AND INTELLIGENCE OFFICER IN NOB EXAMINATION, 2013. So I am writing to you for consideration in favour of Ex-servicemen MAC 54

Government order is Gazette of India: Extraordinary Part II-Sec 3 (i) dt 04 Oct 2012, File Mo 56034/1/2006-Estf. (Res.) that reserved:

Reservation of Vacancies:- Ten percent of the vacancies in the posts upto the level of the Assistant Commandant in all Para-military forces,..... to be filled by direct spanningent in any year shall be reserved for being filled by ex-servicemen."

(See at page 5 of Gazette of India: Extraordinary dt 04 Oct 2012)

Sa, Sub-thspector in CAPFs is lower than Assistant Commandant.

Corrigendum by Staff Selection Commission (P&P-II) dt 14 Jun 2013 deleted the sonience of para 2 of the notice of RECRUITMENT OF SUB-INSPECTORS IN DELHI POLICE. CAPFS AND ASSISTANT SUB-INSPECTOR IN CISF AND INTELLIGENCE OFFICER IN NCB EXAMINATION, 2013 "Vacancies for Ex-servicemen are reserved only for Group 'C' posts and motifor Group 'B' posts as per extant Government orders/Instructions." It shows that SSC implemented the provisions of Gazette of India: Extraordinary dt 04 Oct 2012, because SSC given benefit of Age-relaxation to Ex-servicemen in Group 'B' posts as per the provision of

Dy. No 2982

்கzeite of india. Extraordinary dt 04 Oct 2012.

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"For appointment to vacancies in Group B(Non-Gazetted), Group C or Group D posts in Central Government, an ex-serviceman shall be allowed to deduct the period of actual military service from his actual age and if the resultant age does not exceed the maximum age limit prescribed for the post for which he is seeking appointment by more than three years, he shall be deemed to satisfy the condition regarding age limit."

(See at page 6 of Gazette of India: Extraordinary dt 04 Oct 2012)

1 Staff Selection Commission declared final result of RECRUITMENT OF SUB-INSPECTORS IN DELHI POLICE, CAPFS AND ASSISTANT SUB-INSPECTOR IN CISF AND INTELLIGENCE OFFICER IN NCB EXAMINATION, 2013 on 15 Apr 2014 but SSC not given the benefit of reservation to Ex-servicemen in the rank of Sub-Inspectors.

CPIO Mr. Ashok K Vijay did not mention about the reservation for Ex-servicemen in CRUITMENT OF SUB-INSPECTORS IN DELHI POLICE, CAPES AND ASSISTANT SUB-ESPECTOR IN CISE AND INTELLIGENCE OFFICER IN NCB-EXAMINATION, 2013.

Corrigendum by SSC (P&P-II) dt 14 Jun 2013 created a doubt in my mind so I write to SSC (RT: Deptt). Reply from CPIO (P&P-II) dt 28 Apr 2014, made sure my doubt that something is going wrong in the highest recrulting Department of the Country.

I request your kind honour to provide information for "reasons not to implement the provisions of the Gazette Notification dt 04 Oct 2012" in RECRUITMENT OF SUB-INSPECTORS IN DELHI POLICE, CAPFS AND ASSISTANT SUB-INSPECTOR IN CISF AND INTELLIGENCE OFFICER IN NCB EXAMINATION, 2013, because Gazette Notification was signed Five Month and twelve days earlier than issue of Notification for RECRUITMENT OF GOD-INSPECTORS IN DELHI POLICE, CAPFS AND ASSISTANT SUB-INSPECTOR IN CISF AND INTELLIGENCE OFFICER IN NCB EXAMINATION, 2013.

t want this information because SSC did injustice with ex-servicemen by not following the create of india and published the result on 15 Apr 2014. This result should be amended encordingly

Thanking you in anticipation.

Encls: 1. Copy of Gazette of India: Extraordinary dt 04 Oct 2012.

(for ready reference)

2 Copy of Corrigendum dt 14 Jun 2013. (for ready reference)

3. Copy of reply/info given by CPIO, SSC dt 28 Apr 2014. (for ready reference)

4. Copy of RTI application dt 21 Mar 2014. (for ready reference)

Yours sincerely kaj Singh

PART II-SEC. 3(i)

MINISTRY OF PERSONNEL, PUBLC GRIEVANCES AND PENSIONS NOTIFICATION

New Delhi, the 4th October, 2012

G.S.R. 757(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979, namely:

- (1) These rules may be called the Ex-servicemen (Re-employment in Central Civil Services and Posts) Amendment Rules, 2012.
 - (2) They shall come into force from the date of their publication in the Official Gazette.
- 2. In the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979 (I) in rule 2, for clause (c), the following clause shall be substituted, namely:-
- (c) An 'ex-serviceman' means a person -
- (i) who has served in any rank whether as a combatant or non-combatant in the Regular Army, Navy and Air Force of the Indian Union, and
 - (a) who either has been retired or relieved or discharged from such service whether at his own request or being relieved by the employer after earning his or her pension; or
 - (b) who has been relieved from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or
 - (c) who has been released from such service as a result of reduction in establishment;

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भारत का राजपत्र : असाधारण

OF

(ii) who has been released from such service after completing the specific period of engagement, otherwise than at his own request, or by way of dismissal, or discharge on account of misconduct or inefficiency and has been given a gratuity, and includes personnel of the Territorial Army, namely, pension holders for continuous embodied service or broken spells of qualifying service;

(iii) personnel of the Army Postal Service who are part of Regular Army and retired from the Army Postal Service without reversion to their parent service with pension, or are released from the Army Postal service on medical grounds attributable to or aggravated by military service or circumstance beyond their control and awarded medical or other disability pension;

(iv) Personnel, who were on deputation in Army Postal Service for more than six months prior to the 14th April, 1987;

(v) Gallantry award winners of the Armed forces including personnel of Territorial Army;

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- (vi) Ex-recruits boarded out or relieved on medical ground and granted medical disability pension.
- (2) for rule 3, the following rule shall be substituted, namely:-
 - "3. Application These rules shall apply to all the Central Civil Services and Posts and the posts upto the level of Assistant Commandant in all paramilitary forces.

(3) in rule 4,-

- (a) for sub-rule(I), the following sub-rule shall be substituted, namely:-
 - "(i) Reservation of vacancies: Ten per cent of the vacancies in the posts apto of the level of the Assistant Commandant in all para-military forces, ten per cent of the vacancies in

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Group 'C' posts, and twenty per cent of the vacancies in Group 'D' posts, including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent or are likely to continue for three months and more, to be filled by direct recruitment in any year shall be reserved for being filled by exservicemen."

(b) for sub-rule(2), the following sub-rule shall be substituted, namely-

"(2) The Scheduled Castes, the Scheduled Tribes and the Other Backward Class candidates selected against the vacancies reserved for ex-servicemen shall be adjusted against vacancies reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes, respectively:

Provided that if a the Scheduled Caste or the Scheduled Tribe or the Other Backward Class ex-servicemen is selected against the vacancy reserved for ex-servicemen and vacancy reserved for the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes, as the case may be, is not available to adjust such exserviceman, he shall be adjusted in future against the next available vacancy reserved for the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes, as the case may be."

(c) after sub-rule (3), the following proviso shall be substituted, namely:-

"Provided that in case of recruitment to the vacancy reserved for Ex-servicemen in the Central Para Military Forces, the reserved vacancy remained unfilled due to non-availability of eligible or qualified candidates, the same shall be filled by candidates from non-ex-servicemen category".

- (4) for rule 5, the following rule shall be substituted, namely:-
 - "(5) (a) For appointment to vacancies in Group B(Non-Gazetted),
 Group C or Group D posts in Central Government, an exserviceman shall be allowed to deduct the period of actual
 military service from his actual age and if the resultant age
 does not exceed the maximum age limit prescribed for the
 post for which he is seeking appointment by more than three
 years, he shall be deemed to satisfy the condition regarding
 age limit.
 - (b) For appointment to any vacancy in Group A and Group B services or posts filled by direct recruitment otherwise than

on the results of an Open All India Competitive Examination, the upper age limit shall be relaxed by the length of military service increased by three years in the case of exservicemen and commissioned officers including Emergency Commissioned Officers or Short Service Commissioned Officers.

- (c) For appointment to any vacancy in Group A and Group B services or posts filled by direct recruitment on the results of an All India Competitive Examination, the exservicemen and Commissioned Officers including Emergency commissioned Officers or Short Service Commissioned Officers who have rendered atleast five years military services and have been released.
- (i) on completion of assignment (including those whose assignment is due to be completed within one year) otherwise than by way of dismissal or discharge on account of misconduct or inefficiency; or
- (ii) on account of physical disability attributable to military service or on invalidment, shall be allowed maximum relaxation of five years in the upper age limit.

[F. No. 36034/1/2006-Estt. (Res.)]
MANOJ JOSHI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section3, Sub-section (i), vide number G.S.R. 1530, dated the 15th December, 1979 and subsequently amended by G.S.R. 973 dated 27th October, 1986, and was last amended by notification No. G.S.R. 333(E), dated 27th March, 1986.

3)

Staff Selection Commission P&P-|| Section

i,

Subject :- RECRUITMENT OF SUB INSPECTOR IN DELHI POLICE, CAPF AND SUB INSPECTOR IN CISF AND INTELLIGENCE OFFICER IN NCB EXAMINATION 2013.

CORRIGENDUM

The following sentence in para 2 of the Notice stands deleted.

"Vacancies for Ex-Servicemen are reserved only for Group 'C' posts and not for Group 'B' posts as per extant Government orders/instructions,"

Under Secretary(P&P-II) Dated 14th June 2013.





BY SPEED POST

तार पता : स्टासलकान, नई दिल्ली Telegraphic Address. STASELCOM, NEW DELIH

एं0/<u>No. 2/J/2014-P&P-JJ</u>

भारत सरवन्य कर्नचारी घथन आयोग ्रमानेश 'तथा पश्चिमण विभाग कार्यक लोक शिक्कारा तथा पेशन मंत्रालय 35985 NO 12 वेलकीय कारकारम् भरिकाः अधिः सञ्च

न्हें विल्ली

Government of India
Shaff Selection Commission Department of Personnel & Training Afin and of Personnel, Public Grievances & Pensions Block No.12

Keming a Karyafay Parisar, Lodhi Road

Sen Delhi 28.4.2014

Shri Raji Shagla $\infty = 0.01485$ VPO THOUSE TOWARD Disit, Mozafi h N Law P - 11 1 h

Subjects Information same a code Relation 2008 aregarding.

I am directed to refer to your RTL application dated 24-3-2014 received in this office on 16-4:2014 on the above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and to inforce that the recent above mentioned subject and the inforce of the recent above mentioned subject and the inforce of the recent above mentioned subject and the inforce of the recent above mentioned subject and the recent above mention above mentio as per extant Govt. Orders and Commission's corrigendam dated 14.6.2013 for the post of Sub-Inspector

If you are not satisfied with the information furnished above, you may prefer an appeal to Sh. Manab Ray. Dy. Secretary & Appelate Authority, SSC, Block No.12, CGC Complex, Lodhi Road, New Delhi.

Yours faithfully,

(Ashok K. Vijavi 1. nder Secretary (P&P-HCPIO

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From.

Raj Singh S/O Udda

VPO Lilon, P/S Shamli

Teh Shamli, Dist Muzaffar Nagar

PIN- 247776 (UP)

21 Mar 2014

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The Public Information Officer,

Office of the Regional Director (NR)

Staff Selection Commission, New Delhi

Subject: Request to know "the reasons of not to implement the provision of Gazette Notification dt 114 Oct 2012" under RTI Act 2009

Sir.

With due respect and humble submission I lay down the following few lines for your kind consideration please.

As per the Gazette Notification dt 04 Oct 2012 "Ex-servicemen (Re-employment in Central Services and Posts) Amendment Rules 2012". Ten percent of the vacancies in the posts upto the level of the Assistant Commandant in all para-military forces shall be reserved for being filled by ex-servicemen. Said clause (2 (a) (i) of Gazette notification dt 04 Oct 12) should be implemented in "Recruitment of Sub inspector in Delhi Police, CAPF and ASI in CISF and Intelligence Officer in NCB Examination 2013."

But according to the Corrigendum by Staff Selection commission (P&P-II Section) dt 14 June 2013, above said reservation benefit will not be given to the ex-servicemen in the rank of Sub Inspector in PAPFs (in the "Recruitment of Sub Inspector in Delhi Police, CAPF and ASI in CISF and Intelligence Officer in NCB Examination 2013.")

So I wish to know the reasons not to implement the provisions of the Gazette Notification.

Harris: 1. Postal Order No. 25F 546916 dt 21 Mar 2014 of worth Rs 10/- (Rupees ten only)

- 2. Copy of Gazette Notification dt 04th October, 2012 (for ready reference)
- 3. Copy of Corrigendum by Staff Selection Commission (P&P-II Section) dt 14 Jun 2013 (for ready reference)

Info to:

1. Secretay, Ministry of Personnel, Public Grievances and Pensions, North Block, New Delhi-

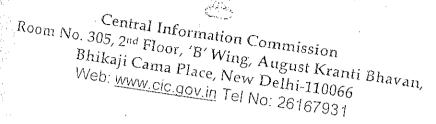
2. Directorate General Resettiement, West Block - IV, RK Puram, New Delhi - 110066

Thanking You in an anticipation.

for who

pleas

Yours sincerly



Case No. CIC/SS/A/2011/001848

Dated: 06.02.2012

Name of Appellant

Shri K.P. Sharma

Name of Respondent

Date of Hearing

Ministry of Home Affairs 06.02.2012

Shri K.P. Sharma, the appellant has filed this appeal dated 6.12.2010 before the Commission against the Ministry of Home Affairs, New Delhi for not providing complete information of his RTI-request dated 21.9.2010. The matter came up for hearing on 06.02.2012. The appellant was absent whereas the respondent were represented by Shri R.P. Sethi, Under Secretary.

- The appellant through his RTI-application dated 21.9.2010 sought information fegarding difference in age of retirement of non-IPS Officers and IPS Officers in the rank of Commandant and DIG in CPMFs. The CPIO vide letter dated 6, 10, 2010 informed the appellant that he has not sought any specific clocument and that the information sought was dispersed among several public authorities i.e. CRPF, CISF and SSB. As such no information can be furnished.
- Not satisfied with the reply of the CPIO, the appellant filed an appeal on 25.10 2010 before the FAA. Dr. Nirmaljeet Singh Kalsi, JS & FAA vide order dated 23.11.2010 directed the CPIO to provide to the appellant copies of recruitment rules for the post of Commandant and DIGP in CRPF, SSB and CISF. The FAA also observed that the appellant may approach the respective force for obtaining further information to

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(I) compliance with the directions of the FAA, the CPIO vide letter dated (2010) provided copies of the recruitment rules to the appellant

finds second appeal filed before the Commission, the appellant submits that flored the neillications provided to him do indicate retirement age of the executive or seneral logarithms. CRPF and the SSB but no such information pertaining to the CISF is available in these hotifications. The appellant also seeks to know the reasons for having differences the date of retirement of Commandant and DIG in non-IPS Cadres.

traving heard the respondent and perused the relevant documents on file, the dumssler cobserves that the copy of recruitment rules for the post of Commandant and Dicara the CRPF and SSB have been provided to the appellant. In case there are a ditarent set of motifications pertaining to CISF, the same may also be provided to the appellant by the CPIO. Ministry of Home Affairs. In so far as seeking of information the discussion of the same do not fall the incitor information as defined in Section 2(f) of the RTI At, 2005. Therefore, the spendight are not bound to provide reasons/justifications or clarifications to any lecturings of this order.

With these directions/observations the matter is disposed of on the part of the

Sushma Singh)
Information Commissioner

caled frue copy:

Registrar