ORDER

Shri A.K. Srivastava (hereinafter referred to as the ‘Appellant’), has filed an appeal, aggrieved due to the above-referred grounds.

2. On going through the case file, it was observed that the Appellant had sought information vide his application dated 18.3.2013 (received in this Ministry on 19.3.2013) and reply was furnished to him by the CPIO vide letter dated 9.4.2013.

3. I find that the instance taken by the CPIO for not to disclose the information sought under Section 8(h) of the RTI Act, 2005 - “information which would impede the process of investigation or apprehension or prosecution of offenders” is genuine.

4. With the above observations, the Appeal stands disposed off. The Appellant, if he so chooses, can file appeal with the Central Information Commission, August Kranti Bhavan, Bhikaji Cama Place, New Delhi -110066.

Kapil Rastogi
26/6/2013
(Appeal Authority & Director
Room No. 310, D wing,
Shastri Bhawan, New Delhi)

Copy for information to:
P.I. Cell – w.r.t. U.O. No. 2013/00102-PI dated 27.05.2013
भारत सरकार
खान मंत्रालय

विषय – सूचना का अधिकार अधिनियम, 2005 के तहत श्री. ए.के. श्रीवास्तव,
नौएडा से प्राप्त अपील के संबंध में।

श्री. ए.के. श्रीवास्तव, नौएडा से प्राप्त मूल अपील दिनांक 14.05.2013 को इस पत्र के
साथ उचित कार्यवाही हेतु भेजा जा रहा है।

आपसे अनुरोध है कि उक्त अपील/पत्र का निर्देशार्थ दिनांक 25.06.2013 से पूर्व किया
जाए और प्रतिलिपि सूचनार्थ पी.आई. सैल को भी कैदी जाए।

(राजेश शाह/Rajesh Shah)
ए.सी.पी.आई.ओ./ACPIO

संलग्न: e-office No. 7558

श्री. कपील सर्टलोगी, निदेशक/अधिकारी, खान मंत्रालय, नई दिल्ली।
पी.आई. सैल यू.ओ. नामक 2013/00102-पी.आई. दिनांक 27.05.2013।
Appeal under Section 19 of the Right to Information Act, 2005

To,
First Appellate Authority
Sh. Kapil Ranjan, Director, Ministry of Mines, 601
Room No. 311, Dwing, Shastri Bhawan, New Delhi

A. Contact details:
1. Name of the Applicant | A.K. SRIVAS TAUWA
2. Address | A-137, Sector-27, Noida, 201301 (UP)

B. Details about RTI request:
1. Particulars of the SPIO against whose order appeal is preferred
   (a) Name M. O. M. Officer, M.O.M., CIT Shastri Bhawan, New Delhi
   (b) Address
2. Date of submission of application (Please attach a copy) | 18-03-2013
3. Brief facts leading to appeal
   (a) No response received within 30 days of submission of Form 1
   (b) Aggrieved by the response received within the prescribed period (a copy of the order received be attached)
   Grounds for appeal: Information sought is not barred under S. 8(b) of RTI Act, 2005
4. Prayer or relief sought | Information be provided
5. Last date for filing the appeal | 14-05-2013
6. If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time | N.A.
7. Copies of documents relied upon by the applicant | N.A.

Signature of the Applicant... [Signature]
14/05/2013

[Note: The handwritten notes are not clearly legible.]

T558
27
No.25 (1)/2013-Met. I

To,

✓ Sh. A.K. Srivastava,
   A-137A, Sector-27,
   NOIDA - 201301

Subject: Request for information under the RTI Act, 2005.

Sir,

I am directed to refer to your application dated 18.3.2013 received in this Ministry on 19.3.2013 seeking information under the RTI Act, 2005, regarding inspection of documents, correspondence and approvals with various departments on proposals for premature termination of services of Sh. A.K. Srivastava from the post of CMD, NALCO.

2. It is relevant to state here that the file/information related to premature termination of services of Sh. A.K. Srivastava, Ex-CMD, NALCO contains other related issues wherein references have been made to CBI including registration of regular case No. RC AC 1 2011 A0001 by the CBI in a trap case. As this is being dealt in the same file, the information, as desired by you, cannot be segregated. The aforesaid CBI case has not been concluded as yet, therefore, the information cannot be disclosed under Section 8(h) of the RTI Act, 2005.

3. You are further informed that in case you are not satisfied with the reply of this Ministry, you may file an appeal before the Appellate Authority (Shri Kapil Rastogi, Appellate Authority & Director, Ministry of Mines, Room No. 310-D Wing, Shastri Bhavan, New Delhi) within a period of 30 days from the date of receipt of this letter.

Yours faithfully,

(Manoj Kumar)
CPIO & Section Officer

Copy to:

Pl. Cell w.r.t UO No.MINES/R/2013/00102 dated 19.03.2013

Received by applicant 15/04/2013