

कपिल राज
Kapil Raj

Under Secretary (PD) & CPIO
R.No. 256A, A-Wing Shastri Bhawan



सत्यमेव जयते

विदेश प्रचार और लोक राजनय विभाग
External Publicity & Public Diplomacy Division
Ministry of External Affairs, New Delhi

Q/XPC/551/16/15

Date: 15 May, 2015

Dr. Tanveer Ahmed Ansari
U.T. No. 08/2015, Circle No. 10
Mumbai Central Prison, Mumbai
Maharashtra – 400011

Subject: Information sought under Right to Information Act, 2005

Reference is invited to your RTI Application No. Nil dated 02.04.2015 which was transferred to this Division in part by Protocol Division, MEA vide letter dated 05.05.2015 for furnishing of current year's Calendar and Diaries published by Ministry of External Affairs. Following is the reply of this Division in response to your Application:

No Diaries were printed by XPD Division. It is not clear from the query as to what information is required to be furnished about the Calendar. Information solicited may be specified so we can furnish available information.

2. In case the Applicant is not satisfied with the above response he may file an appeal with Shri R. Masakui, Director (PD) and Appellate Authority, Room No. 143, 'A' Wing, Shastri Bhawan, New Delhi within a month of the receipt of this letter.

(Kapil Raj)

Under Secretary (PD) & CPIO

Copy for information to:

1. US (RTI), JNB 2021, MEA, New Delhi



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

No. DIII/551/09/2015

Dated : 05.05.2015

Dr. Tanveer Ahmed Ansari
U.T. No. 08/2015, Circle No. 10
Mumbai Central Prison, Mumbai 11

Subject : Information sought under RTI Act 2005.

Dear Sir,

Please refer to your RTI application dated 17.04.2015 (received in the office of the undersigned on 21.04.2015 from the RTI Cell of this Ministry) regarding information sought under RTI Act 2005.

2. Please find attached herewith a copy of the Diplomatic List issued by the Protocol Division of this Ministry containing the information and addresses of Consulates & Embassies in India.

3. However, for furnishing current year's calendar & diaries published by Ministry of External Affairs, your RTI application is being transferred to External Publicity Division of the Ministry of External under Section 6(3) of RTI Act as the matter is more closely related to them.

4. If you are aggrieved with this reply, you may file an appeal with Shri Jaideep Mazumdar, Chief of Protocol, Appellate Authority, Ministry of External Affairs, 2151, Jawaharlal Nehru Bhawan, Janpath, New Delhi within a month from the date of receipt of this letter.

Set

(Arif Saeed)
Dy. Chief of Protocol (F) & CPIO

Copy to :

JS(COP), MEA, New Delhi
JS(XP) MEA, New Delhi – It is kindly requested to provide the information directly to the applicant.
US (RTI), MEA, New Delhi

Arif

(Arif Saeed)
Dy. Chief of Protocol (F) & CPIO

879/15

23/7
16/04/15

Application for obtaining information under the R.T.I. Act, 2005

To: THE C.P.T.O.
MINISTRY OF EXTERNAL AFFAIRS
SOUTH BLOCK, ROOM NO. 183-A
NEW DELHI - 110011.

₹ 10/- fee exempted
as per Sec. 7(5) of the
R.T.I. Act, 2005
Kindly see Exhibit - A

1. Full name of the Applicant: DR. TANVEER AHMED ANSARI
U.T. No. 08/2015, CIRCLE NO. 10,
Mumbai Central Prison, Mumbai-11.
2. Address:

3. Particulars of information required:

- (i) Subject matter of information: Furnishing Latest Complimentary
Copy of addresses of Consulates and Ambassies of different
countries in India.
- (ii) The Period to which the information relates:

(iii) Description of information required:

(a) Kindly furnish Complimentary Copy which includes
information of Consulates & Ambassies' addresses etc.
and Kindly furnish current year's calendar & diaries
published by MEA, of INDIA and latest Annual
Reports of MEA, Govt. of India.

Postmark
16/4

8/4
16/4

50/RTIX Information is required by : Speed Post

4. Whether the applicant is Below Poverty Line (B.P.L.)? Yes, the applicant is
an Under Trial Prisoner (UTP), since last 5 yrs. Honble Bombay High Court has
considered the UTP, as B.P.L. Kindly see Exhibit - A. Therefore
no fee shall be charged from the applicant according to Sec 7(5) of RTI Act.
The applicant also attached order passed by Honble Jc District Judge, in support of above
said claim. Kindly see Exhibit - B.
Place: Mumbai
Date: 02/04/2015

4/4/15
Jailor Gr. - 21
Mumbai Central Prison
Mumbai - 400 001.

SIGNATURE OF APPLICANT

Before the Appellate Authority, Registrar (Finance & Budget),
High Court, Mumbai

R.T.I. EA. NO. 180 OF 2011
R.I.A APPLICATION NO. 943 OF 2011
Under Section 19(1) Act, 2005

Ehtesham Qutubuddin Siddiqui

...Appellant

v/s.

Public Information Officer,
High Court, Bombay

...Respondent

Facts :

1. The Appellant claims to be an Under Trial Prisoner No.202 presently lodged in "Anda" cell, Central Prison, Arthur Road, Mumbai. He moved an application seeking information which can be reproduced as below :

- a) Kindly furnish the True/certified copy of all documents related to Cri.Writ Petition No.1377/2008, alongwith Judicial enquiry report filed by Hon'ble Principal Judge, Mumbai.
- b) Kindly furnish the copy of all Judgments of High Court Bombay delivered for the offence related to MCOCA 1999, of the period between 1999 to till date.
- c) Kindly furnish the copy of all Judgments of High Court delivered regarding CDR(calls details record) of mobile phone.

2. The Public Information Officer by impugned communication dated 2nd December, 2011 rejected the application on the grounds that information sought for relates to Judicial functions and proceedings and therefore, exempted from disclosure under Rule 13(b) of Bombay High Court Right to Information(Revised) Rules, 2009, inter-alia, informed the Appellant that in view of voluminous record it would be practically difficult to supply the information as it would disproportionately divert the resources of public authority. Dissatisfied with the said communication, Appellant has preferred the instant appeal.

and inspection of relevant record as per the procedure prescribed in the Bombay High Court, Original as well as Appellate Side Rules.

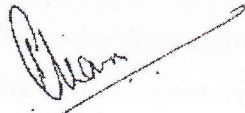
7. In view of the foregoing discussion the appeal is partly allowed to the extent as above.

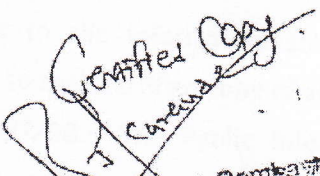
8. The Public Information Officer is directed to supply the information sought for by the Appellant at Para 3(iii)(a) within a period mentioned hereinabove.

9. The Appeal stands disposed of in terms of above.

The Appellant be informed accordingly.

Dated : 31st January, 2012


Registrar (Finance & Budget)
First Appellate Authority


for P.I.O. High Court, Bombay

3. Undoubtedly, Appellant is an under trial prisoner. He has a right to seek information under the Right to Information Act. The Right to Information Act is silent on the point as to whether a convict or an under trial prisoner can be considered to be a person below poverty line; Nevertheless, it can definitely be construed that a convict or an under trial prisoner is a person who is below poverty line by resorting to clause(g) of Section 12 of the Legal Service Authorities Act, 1987 which provides for a "legal service to a person who is in custody.....".

4. The proviso to Rule 5 of Section 7 of the Right to Information Act, 2005 also postulates and I quote " provided that fees under Section 6(1) and Section 7(1) &(5) shall be reasonable and no such fee shall be charged on the person who are below poverty line".

Rule (19) of the Bombay High Court Right to Information(Revised)Rules, 2009 provides "An applicant living below the poverty line shall, on production of a copy of the certificate issued by the Competent Authority alongwith the application, be provided the desired information and copies free of cost under these Rules.

5. Turning back to the information sought for at item No.3(iii)(a), the Appellant is entitled to seek certified copy of all the documents related to Criminal Writ Petition No.1377/08. The Public Information is directed to supply the information to the Appellant within 15 working days from the date of receipt of this order.

6. As regards Item No.(b)and(c), the Appellant has sought copies of all Judgments of High Court for the offence related to MCOCA for the period between 1999 till date and copies of all Judgments of High Court delivered regarding the call details record of Mobile Phone. The Appellant is not entitled to seek these informations for the reasons enumerated by Public Information Officer in Para 2 of the impugned communication. The Public Information Officer has rightly informed the Appellant that the aforesaid information can be had by taking search