No. RTI/GoI/FinMin/DEA/2017/1

From, Venkatesh Nayak #55A, 3rd Floor Siddarth Chambers-1 Kalu Sarai New Delhi- 110 016

To,
The Central Public Information Officer
& Under Secretary to the Govt. of India
RTI Cell
Department of Economic Affairs
Ministry of Finance
Room No. 63, North Block
New Delhi- 110 001

अधपन्ना COUNTERFOIL

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Date: 07/07/2017

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Dear sir,

Sub: Submission of request for information under The Right to Information Act, 2005

Apropos of paras #164-165 of the Budget-related speech of the Hon'ble Finance Minister delivered in the Lok Sabha on 01 February, 2017 relating to the issuance of Electoral Bonds, I would like to obtain the following information from your public authority:

- 1) The total number of representations or petitions or communications, by whatever name called, received by the Government of India, till date, from donors regarding the need for maintaining confidentiality of their identity while making donations to political parties;
- 2) A clear photocopy of all representations or petitions or communication by whatever name called, described at para #1 above;
- 3) A clear photocopy of the Draft Electoral Bond Scheme prepared by your Department for consultation with the Reserve Bank of India and the Election Commission of India.

I am a citizen of India. I have enclosed an IPO (bearing #38F 191011) for Rs. 10/- towards payment of the prescribed application fee. I would like to receive the information specified above, at my postal address mentioned above. Kindly inform me of the additional fee payable for obtaining the said information.

As the list of CPIOs and FAAs displayed on your official website at the URL: https://docs.org/decelege-authority, does not clearly indicate the name and contact details of the CPIO responsible for the subject matter of 'Electoral Bonds', I am constrained to send this RTI application to your RTI Cell. Kindly forward this RTI application to the appropriate CPIO for disposal as per the provisions of the RTI Act.

Yours sincerely,

Venkatesh Nayak

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India Post

Before the Designated First Appellate Authority

and the Deputy Secretary, Admn. V, Coord. & Budget Monitoring & RTI Cell,

Department of Economic Affairs, Ministry of Finance

Government of India

Room No. 269-A, North Block, New Delhi- 110 001

Appeal submitted under Section 19(1) of the Right to Information Act, 2005

In the matter of

Venkatesh Nayak

VS

CPIO, Department of Economic Affairs

Date of submission: 17/08/2017

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1



S.S. Venkatish Nayak

Before the Designated First Appellate Authority

and the Deputy Secretary, Admn. V, Coord. & Budget Monitoring & RTI Cell, Department of Economic Affairs, Ministry of Finance Government of India

Room No. 269-A, North Block, New Delhi- 110 001

Appeal submitted under Section 19(1) of the Right to Information Act, 2005

Date: 17/08/2017

 \mathcal{M}

1) Name and address of the appellant

Venkatesh Nayak #55A, 3rd Floor

Siddharth Chambers-1

Kalu Sarai

New Delhi- 110 016

2) Name and address of the Central Public Information Officer (CPIO) to whom the RTI application was sent

The Central Public Information Officer & Under Secretary to Government of India RTI Cell, Department of Economic Affairs

Ministry of Finance Government of India Room. No. 63, North Block

New Delhi- 110 001

3) Name and address of the Officer who gave the reply to the Application

Not applicable

4) Particulars of the RTI application-

a) No. and date of submission of the RTI application

No. RTI/GoI/FinMin/DEA/2017/1 dated 07/07/2017

b) Date of payment of additional fee (if any)

Not applicable.

5) Particulars of the order(s) including number, if any against which the appeal is preferred

No reply till date

S. S. Wenkatesh Nayale

6) Brief facts leading to the appeal

6.1) On 07/07/2017, this Appellant despatched by Speed Post, a request for information to the CPIO mentioned at para #2 above, along with the prescribed application fee, stating as follows (Annexe 1):

"Apropos of paras #164-165 of the Budget-related speech of the Hon'ble Finance Minister delivered in the Lok Sabha on 01 February, 2017 relating to the issuance of Electoral Bonds, I would like to obtain the following information from your public authority:

- The total number of representations or petitions or communications, by whatever name called, received by the Government of India, till date, from donors regarding the need for maintaining confidentiality of their identity while making donations to political parties;
- 2) A clear photocopy of all representations or petitions or communication by whatever name called, described at para #1 above;
- 3) A clear photocopy of the Draft Electoral Bond Scheme prepared by your Department for consultation with the Reserve Bank of India and the Election Commission of India.

I am a citizen of India. I have enclosed an IPO (bearing #38F 191011) for Rs. 10/towards payment of the prescribed application fee. I would like to receive the information specified above, at my postal address mentioned above. Kindly inform me of the additional fee payable for obtaining the said information.

As the list of CPIOs and FAAs displayed on your official website at the URL: http://dea.gov.in/cpio-appellate-authority, does not clearly indicate the name and contact details of the CPIO responsible for the subject matter of 'Electoral Bonds', I am constrained to send this RTI application to your RTI Cell. Kindly forward this RTI application to the appropriate CPIO for disposal as per the provisions of the RTI Act."

- **6.2)** Subsequently, the instant RTI application was delivered to this Public Authority on 10/07/2017 (**Annexe 2**).
- 6.3) This Appellant has not received any reply from the CPIO of this Public Authority till date.

7) Prayers or relief sought

This Appellant prays that this First Appellate Authority be pleased to:

- 1) admit this appeal and inquire into the matters raised herein; and
- 2) direct the concerned CPIO to disclose all information specified in the instant RTI application free of charge as is this Appellant's right under Section 7(6) of the RTI Act.

S. S. Kinkatesh Nayak

8) Grounds for the prayer or relief

- **8.1)** According to Section 19(1) of the RTI Act an RTI applicant, who is aggrieved by the fact that no decision has been received in relation to his or her RTI application, may prefer an appeal to the officer senior in rank to the CPIO within 30 days of the date on which such decision ought to have been made. The instant RTI application was despatched to the Respondent Public Authority on 07/07/2017 (**Annexe 1**). As per the Speed Post consignment tracking report published by the Department of Posts on its website, the said RTI application was delivered to this Public Authority in 10/07/2017 (**Annexe 2**). More than 30 days have lapsed since the delivery of the instant RTI application to this Public Authority. No response has been forthcoming from any CPIO of this Public Authority. Therefore under the terms of Section 19(1) of the RTI Act, this is a fit case for submitting an appeal to this Public Authority. *Hence the submission of this appeal to this Hon'ble Appellate Authority*.
- **8.2)** According to Section 7(1) of the RTI Act, upon receiving an RTI application and finding that one's Public Authority holds the information sought, in material form, a CPIO has only two courses of action open to him or her. Such CPIO is required to either furnish the requested information on payment of the additional fee at the rates prescribed in the RTI Rules, 2012 or reject the request for any of the reasons specified in Sections 8 or 9 of the RTI Act. The CPIO of this Public Authority has chosen neither course of action till date. It is not open for the CPIO to sit endlessly on an RTI application without sending even an acknowledgement of receipt of the instant RTI application. This Appellant is aggrieved by the inaction of the CPIO of this Public Authority. **Hence the submission of this first appeal to this Hon'ble Appellate Authority.**
- **8.3**) Further, according to Section 7(2) of the RTI Act, where a CPIO fails to give a decision on the information request within the period of 30 days specified in Section 7(1) of the RTI Act, it shall be deemed that the request for information has been rejected. As more than 30 days have lapsed since the receipt of the instant RTI application by this Public Authority, it is to be deemed that the instant RTI application has been rejected. As Section 19(1) of the RTI Act also permits a citizen aggrieved by a decision of the CPIO (deemed to be rejected in the instant case) to prefer an appeal against such decision, to an officer senior in rank to such CPIO, this ground is also satisfied in the instant case. **Hence the submission of this first appeal to this Hon'ble Appellate Authority.**
- **8.4)** Further, according to Section 7(6) of the RTI Act, where a CPIO fails to supply the information sought within the period of 30 days stipulated in Section 7(1) of the RTI Act, the applicant has a right to obtain the information free of charge. It has already been shown conclusively above, that the CPIO of this Public Authority has not bothered to send any reply to the instant RTI application despite the lapse of the statutory deadline of 30 days. This Appellant, therefore has a right to receive all the information specified in the instant RTI application free of charge, under Section 7(6) of the RTI Act. *Hence the submission of this first appeal to this Hon'ble Appellate Authority.*

S.S. Kenkatish Nayak

- **8..5**) Further, as this Appellant has not received any reply from the CPIO of this Public Authority, he has no knowledge of the name or the contact details of the First Appellate Authority designated by the Section/Division for responding to RTI applications on the subject matter of "Electoral Bonds". Therefore this Appellant is exercising his right of appeal under Section 19(1) of the RTI Act by submitting this appeal to the First Appellate Authority linked to the CPIO mentioned at para #2 above as per details provided on the official website of this Public Authority at the URL: http://dea.gov.in/cpio-appellate-authority. Hence the submission of this first appeal through the RTI Cell of this Public Authority.
- 9) I hereby verify that the aforementioned facts are true to the best of my knowledge. I also declare that I have authenticated the Annexes to this appeal.

Signature of the Appellant:

S. S. Wenkatuh Nayak (Venkatesh Nayak) 17/8/17

ANNEXE-2

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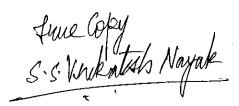
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BEFORE THE FIRST APPELLATE AUTHORITY UNDER SECTION 19(1) OF THE RIGHT TO INFORMATION ACT, 2005 In the matter of:

APPEAL PREFERRED BY SHRI VENKATESH NAYAK AGAINST NOT RECEIVING THE REPLY OF THE CPIO, DEPARTMENT OF ECONOMIC AFFAIRS WITHIN THE TIME LIMIT

This appeal dated 17.08.2017 has been filed by Shri Venkatesh Nayak against not receiving the reply of the CPIO, Department of Economic Affairs to his RTI application dated 07.07.2017.

The applicant in his appeal dated 17.08.2017, sought the following information:

"Apropos of paras # 164-165 of the Budget-related speech of the Hon'ble Finance Minister delivered in the Lok Sabha on 01 February, 2017 relating to the issuance of Electoral Bonds, Shri Venkatesh Nayak sought the following information:-

- The total number of representations or petitions or communications, by whatever name called, received by the Government of India, from donors regarding the need for maintaining confidentially of their identity while making donations to political parties;
- A clear photocopy of all representations or petitions or communication by whatever name ii. called, described at para # 1 above;
- A clear photocopy of the Draft Electoral Bond Scheme prepared by your Department for iii. consultation with the Reserve Bank of India and the Election Commission of India.
- I have got the matter examined and found that it appears that information has not been provided to the applicant. However, the content of application primarily concern the following Departments/ Offices:
 - a. Department of Financial Services:
 - b. Election Commission of India; and
 - c. Co-ordination Section, DEA
- I hereby direct that the application may be transferred under section 6(3) of the RTI Act, 2005 to the concerned CPIO within 3 working days. CPIO is also directed to be careful in future in handling RTI applications.

5. The application filed by the appellant stands disposed of.

Deputy Secretary (Administration) & Appellate Authority Department of Economic Affairs, Ministry of Finance, Room No.233, North Block.

New Delhi - 110 001.

2(011)23095234

File No. J.36011/01/2017-Admn.I New Delhi, dated 5th October, 2017 To:-

Shri Venkatesh Nayak, 55A, 3rd Floor, Siddharth Chambers-1, Kalu Sarai, New Delhi-110016. Copy to:-

RTI Cell for information w.r.t. RTI Registration No. RTI/GoI/FinMin/DEA/2017/1.

Deputy Secretary (Administration) & Appellate Authority

No. J.36011/1/2017-Ad.I **Government of India** Ministry of Finance **Department of Economic Affairs** (Administration Wing)

North Block, New Delhi Dated: 06/10/2017

OFFICE MEMORANDUM

Subject:

RTI application dated 07.07.2017 from Shri Venkatesh Nayak-transfer under

Section 6(3) of RTI Act, 2005

Please find enclosed an RTI application dated 07.07.2017 from Shri Venkatesh Nayak, R/o 55A, 3rd Floor, Siddarth Chambers-1, Kalu Sarai, New Delhi- 110016 seeking information under RTI Act, 2005.

- The subject matter does not pertain to the D/o Economic Affairs. Further the 2. information sought pertains to the Department of Financial Services and Election Commission of India.
- In view of above the instant RTI application is transferred to the concerned CPIO's 3. under Section 6(3) of the RTI Act, 2005 for replying the applicant directly.

Encl: As above

CPIO and Under Secretary to the Govt. of India

2 (011)23095061.

To:-

1. The D/o Financial Services, [Smt. Jesmine Jemes, U.S (Coordination)], Room No. 24-B, Jeewan Deep Building, Parliament Street, New Delhi.

2. The Election Commission of India, [Shri S.K Mishra, U.S (RTI Coordination and related matters)], Ashok Road, New Delhi-110001.

Copy for information to:-

- 1. Shri Venkatesh Nayak, 55A, 3rd Floor, Siddarth Chambers-1, Kalu Sarai, New Delhi-
- 2. The D/o Economic Affairs, [Shri G.K Sinha, U.S (Coordination)], North Block, New Delhi.

Date: 07/07/2017

No. RTI/GoI/FinMin/DEA/2017/1

Venkatesh Nayak #55A, 3rd Floor Siddarth Chambers-1 Kalu Sarai New Delhi- 110 016

To, The Central Public Information Officer & Under Secretary to the Govt. of India RTI Cell Department of Economic Affairs Ministry of Finance Room No. 63, North Block New Delhi- 110 001

Dear sir,

Sub: Submission of request for information under The Right to Information Act, 2005

Apropos of paras #164-165 of the Budget-related speech of the Hon'ble Finance Minister delivered in the Lok Sabha on 01 February, 2017 relating to the issuance of Electoral Bonds, I would like to obtain the following information from your public authority:

- 1) The total number of representations or petitions or communications, by whatever name called, received by the Government of India, till date, from donors regarding the need for maintaining confidentiality of their identity while making donations to political parties;
- 2) A clear photocopy of all representations or petitions or communication by whatever name called, described at para #1 above;
- 3) A clear photocopy of the Draft Electoral Bond Scheme prepared by your Department for consultation with the Reserve Bank of India and the Election Commission of India.

I am a citizen of India. I have enclosed an IPO (bearing #38F 191011) for Rs. 10/- towards payment of the prescribed application fee. I would like to receive the information specified above, at my postal address mentioned above. Kindly inform me of the additional fee payable for obtaining the said information.

As the list of CPIOs and FAAs displayed on your official website at the URL: http://dea.sov.in/coio-appellate-authority, does not clearly indicate the name and contact details of the CPIO responsible for the subject matter of 'Electoral Bonds', I am constrained to send this RTI application to your RTI Cell. Kindly forward this RTI application to the appropriate CPIO for disposal as per the provisions of the RTI Act.

J. S. Venkatesh Nayak 1+1/7

Fee Rs. 10+1PD (Holl 38F 191011)

received.

USGATZI

12/1/2017- समन्दय. वित्त मंत्रालय, भारत सरकार वितीय सेवा विभाग (समन्वय अनुभाग)

> तृतीय तल, जीवन दीप बिल्डिंग. संसद मार्ग, नई दिल्ली, दिनाक: 6-10-2017

कार्यालय ज्ञापन

विषय: सूचना का अधिकार अधिनियम, 2005 के तहत कु /शीमति/श्री Venkotesh. Noyok. आवेदन के संबंध में |

कुं/श्रीमिति/श्री Venkotesh Noyok 07-07-2017 आवेदन समन्वय अनुसाग में 13-10-2017 हुआ है | आवेदन समन्वय अनुसाग में 13-10-2017 हुआ है | आवेदन समन्वय अनुसाग में इसे सूचना का अधिकार अधिनियम की धारा 6(3) के तहत आवश्यक कार्र्वाई हेतु उन्हें हस्तांतरित किया जाता है |

2. प्रभाग/अनुभाग/विभाग द्वारा उत्तर नियतं समय-सीमा में सीधै आवेदक को भेजा जाए |

(904)

(जैस्मिन जेम्स) सी.पी.आई.ओ. एवं अवर सचिव, क्षारत सरकार Tel: 23748731

सेवा में

अवर सचिव, Monagon अर.टी.आई. R. B. I. प्रकोषठ, वई

प्रतिलिप स्चनार्थ: कु./श्रीमिन्धिं - Venkesteah Noyak, SSA, 3° (00) प्रिकारी Chambers - Kolu Servi, Kolu Servi, Chambers - को इस मामले में अतिरिक्त जानकारी के लिए उपर्युक्त लोक प्राधिकारी से संपर्क करने के परामर्श के साथ स्चनार्थ।

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001.

No. 4/RTI/37/2017/PPEMS

Dated:30th October, 2017

To,

Sh. Venkatesh Nayak, 55A, 3rd Floor, Siddarth Chambers-1, Kalu Sarai, New Delhi- 110016.

Sub:-Sir,

Information under RTI Act, 2005- Regarding.

With reference to your RTI application dated 07.07.2017transferred in the Commission through Ministry of Finance on 09.10.2017, I am to furnish item wise information as under:-

Item No.1,2 3: The information sought under these items are not available in any material form hence cannot be provided under section 2(f) of RTI Act 2005.

If you are not satisfied with the information, you may make an appeal to the first appellate authority within 30 days of receipt of this letter. The details of first appellate authority are as under:-

Sh. K F Wilfred,

Sr. Pr. Secretary & First Appellate Authority, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110001, Contact Nos. 011-23052026 and 011-23052205

Yours faithfully,

(SANTOSH KUMAR) UNDER SECRETARY AND CPIO



RESERVE BANK OF INDIA

www.rbi.org.in

ND.HRMD.RIA /2628/16.00.011/2017-18

Date: 25.10.2017

श्री वेंकटेश नायक #55A, 3rd फ्लोर सिधार्थ चेम्बर-1 कालु सराय नई दिल्ली-110016

महोदय / महोदया,

सूचना का अधिकार अधिनियम, 2005 - पूछताछ – आपका अदिनांकित/दिनांक - 16.10.2017 का आवेदन

हम आपके उपर्युक्त आवेदन की प्राप्ति सूचना देते हैं। आपके आवेदन की पंजीकृत सं RIA No.RBIND/R/2017/04856 है।आपका आवेदन निम्निलिखित विभाग/विभागोंकों को सूचना देने हेतु भेजा गया है।संबन्धित केन्द्रीय जन सूचना अधिकारी के ब्योरे के लिए आप https://www.rbi.org.in/Scripts/Righttoinfoact.aspx यह लिंक देखे।

Sir / Madam,

The Right to Information Act, 2005 - Query –Your application dated -16.10.2017

We acknowledge the receipt of your captioned application. Your application has been registered with us as RIA No.RBIND/R/2017/04856 and has been forwarded to the following department/s for providing you information. Please visit https://www.rbi.org.in/Scripts/Righttoinfoact.aspx link for the details of the concerned CPIO/s.

Name of the Department/s

IDMD- RBI, Central Office, Mumbai

भवदीय /Yours faithfully

(कृते केंद्रीय सहायक लोक सूचना अधिकारी १०. Central Assistant Public Information Officer)

मानव संसाधनप्रबन्ध विभाग, 6 संसद मार्ग, नई दिल्ली-110001 , भारत

दूरभाष- 23752362, 23356720 फ़ैक्स- 011-23731461 ई-मेल-hrdd<u>newdelhi@rbi.org.in</u>

भारतीय रिज़र्व बैंक RESERVE BANK OF INDIA

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आईडीएमडी.सीडीडी.सं 1223/11.90.001/2017-18

नवम्बर 06, 2017

Shri Venkatesh Nayak 55A, 3rd floor, Siddharth Chambers - 1 Kalu Sarai New Delhi — 110 016

महोदय Dear Sir,

सूचना का अधिकार अधिनियम, 2005 - अंतिम जवाब The Right to Information Act, 2005 - Final Reply हमारा संदर्भ सं./Our Reference No. RBIND/R/2017/04856

सूचना का अधिकार अधिनियम, 2005 के अंतर्गत सूचना की मांग करते हुए आपके द्वारा प्रस्तुत दिनांक **07** जुलाई 2017 का आरटीआई आवेदन देखें।

Please refer to your RTI application dated July 07, 2017, seeking information under Right to Information Act, 2015.

2. इस संदर्भ में जानकारी निम्नानुसार है In this connection, we advise as under:

क्र.सं. Sr.No.	आपका प्रश्न Your Query	हमारा जवाब Our Reply
1.	"The total number of representations or petitions or communications, by whatever name called, received by the Government of India, till date, from donors regarding the need for maintaining confidentiality of their identity while making donations to political parties."	
2.	"A clear photocopy of all representations or petitions or communication by whatever name called, described at para # 1 above."	
3.	"A clear photocopy of the Draft Electoral Bond Scheme prepared by your Department for consultation with the Reserve Bank of India and the Election Commission of India."	

आंतरिक ऋण प्रबंध विभाग, केंद्रीय कार्यालय, 23वीं मंजिल, केंद्रीय कार्यालय भवन, शहीद भगत सिंह मार्ग, फोर्ट , मुंबई – 400 001, भारत फोन : (022) 2266 1602-04, फैक्स : (022) 2264 4158, ई-मेल : ogmidmd@rbi.org.in

Internal Debt Management Department, Central Office, 23rd Floor, Central Office Building, Shahid Bhagat Singh Marg, Fort, Mumbai-400 001, India Telephone: 022 2266 1602-04, Fax: 022 2264 4158, Email: cgmldmd@rbi.org.in

हिन्दी आसान हैइसका प्रयोग बढ़ाइए।

चेतावनी रिज़र्व बैंक द्वारा इंमेल :, डाक, एसएमएस या फोन काल के जरिये किसी की भी व्यक्तिगत जानकारी जैसे बैंक खाते का ब्यौरा, पासवर्ड आदि नहीं मांगी जाती है। यह धन रखने या देने का प्रस्ताव भी नहीं करता है। ऐसे प्रस्तावों का किसी भी तरीके से जवाब मत दीजिये। Caution: RBI never sends emails, SMSs or makes calls asking for personal information like bank account details, passwords, etc. It never keeps or offers funds to anyone. Please do not respond in any manner to such offers. 3. यदि आप उपर्युक्त उत्तर के विरुद्ध कोई अपील प्रस्तुत करना चाहते हैं तो उसे जवाब प्राप्ति से 30 दिनों के भीतर डॉ. (श्रीमती) दीपाली पंत जोशी, कार्यपालक निदेशक, भारतीय रिजर्व बैंक, आंतरिक ऋण प्रबंध विभाग, केंद्रीय कार्यालय भवन, 23 वीं मंज़िल, एसबीएस मार्ग, फोर्ट, मुंबई – 400001 को प्रस्तुत किया जा सकता है।

If you wish to prefer an appeal against this reply, the same may be preferred within 30 days from the receipt of this reply, to Dr. (Smt.) Deepali Pant Joshi, Executive Director, Reserve Bank of India, Internal Debt Management Department, Central Office, Central Office Building, 23rd Floor, Shahid Bhagat Singh Marg, Fort, Mumbai – 400 001.

भवदीया Yours faithfully,

(ए मंगलगिरी A. Mangalagiri) केंद्रीय जन सुचना अधिकारी

Central Public Information Officer