

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड

विश्वकर्मा भवन, प्रथम तल, सचिवालय परिसर 4-सुभाष रोड़, देहरादून- 248001

Email id- ceo_uttaranchal@eci.gov.in

फोन न० (0135) - 2713551

फैक्स न० (0135) -2713724,

संख्या-945/xxv- 53(P-14)/2021 देहरादून : दिनांक 23 जून, 2023

सेवा में,

Shri Samir Sardana,
D-113, Sector 4,
Defence Colony, Dehradun

विषय- सूचना के अधिकार अधिनियम-2005 के तहत सूचना के सम्बन्ध में।
महोदय

उपरोक्त विषयक प्रथम अपीलीय अधिकारी/सहायक मुख्य निर्वाचन अधिकारी, उत्तराखण्ड के आदेश संख्या-903 दिनांक 17 जून, 2023 में निहित आदेश के बिन्दु संख्या-5 के क्रम में आपके अनुरोध पत्र के भाग रजिस्टर्ड अनरिकॉगनाईज्ड पौलटीकल पार्टी बिन्दु संख्या-1 एवं 3 के सम्बन्ध में कार्यालय में धारित सूचना निम्नप्रकार निशुल्क: प्रेषित है।

क्र०सं०	लोक सभा निर्वाचन	कुल पृष्ठ
1	वर्ष- 2009	5
2	वर्ष- 2014	5
3	वर्ष- 2019	5

क्र०सं०	विधान सभा निर्वाचन	कुल पृष्ठ
1	वर्ष- 2012	26
2	वर्ष- 2017	70
3	वर्ष- 2022	70

भवदीय,

(बसन्त सिंह रावत)
अनुभाग अधिकारी एवं
लोक सूचना अधिकारी।
मो०न०-9411740189

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड

विश्वकर्मा भवन, प्रथम तल, सचिवालय परिसर 4-सुभाष रोड़, देहरादून- 248001

Email id- ceo_uttaranchal@eci.gov.in

फोन न० (0135) - 2713551

फैक्स न० (0135) -2713724,

संख्या- 565/XXV- 53(P-14)/2021 देहरादून : दिनांक 11 अप्रैल, 2023

सूचना के अनुरोध को दूसरे प्राधिकारी को हस्तांतरण के लिए प्रपत्र सेवा में,

- केन्द्रीय लोक सूचना अधि०/
प्रधान सचिव,
भारत निर्वाचन आयोग
नई दिल्ली। /
- समस्त लोक सूचना अधिकारी
सहायक जिला निर्वाचन अधिकारी
उत्तराखण्ड।
- लोक सूचना अधिकारी/सहायक आयुक्त
राज्य निर्वाचन आयोग
निर्वाचन भवन मसूरी बाईपास
लाडपुर रोड़, देहरादून।

विषय- सूचना के अधिकार अधिनियम-2005 के तहत सूचना के सम्बन्ध में।
महोदय,

उपरोक्त विषयक Samir Sardana D-113, Sector 4, Defence Colony, Dehradun का अनुरोध पत्र जो इस कार्यालय में दिनांक 05.04.2023 को प्राप्त हुआ है, की प्रति संलग्न कर इस आशय से प्रेषित की जा रही है जिसमें निम्नानुसार सूचनायें आपके कार्यालय से सम्बन्धित हैं:-

विभाग का नाम जिन्हे सूचना हस्तान्तरित की जा रही है।	विषय वस्तु	सूचना का विवरण
लोक सूचना अधिकारी राज्य निर्वाचन आयोग लाडपुर देहरादून	Section 4	बिन्दु संख्या-3 एवं 4
	Inspection	बिन्दु संख्या-2
	Vote results	बिन्दु संख्या-2
	Voter Deletions	बिन्दु संख्या-3 एवं 4
समस्त लोक सूचना अधिकारी/सहा० जिला निर्वाचन अधिकारी उत्तराखण्ड।	Section 4	बिन्दु संख्या-1 एवं 2
	Registered Unrecognised political Parties	बिन्दु संख्या-1 एवं 3
	Antecedents	बिन्दु संख्या-1
	EVM	बिन्दु संख्या-3
	Audit	बिन्दु संख्या-1 एवं 2
केन्द्रीय लोक सू० अधि०/ प्रधान सचिव, भारत निर्वाचन आयोग नई दिल्ली।	EVM	बिन्दु संख्या-2
	Audit Reports	बिन्दु संख्या-1
	Contribution Reports	बिन्दु संख्या-1

अतः अनुरोध पत्र सूचना का अधिकार अधिनियम-2005 की धारा 6(3) के अन्तर्गत अग्रोत्तर कार्यवाही हेतु आपको हस्तान्तरित किया जा रहा है। कृपया अनुरोधकर्ता को अपने कार्यालय से सम्बन्धित वांछित सूचना अपने स्तर से नियमानुसार उपलब्ध कराने का कष्ट करें।
संलग्न-यथोपरि।

भवदीय,

B.S. Rawat

(बसन्त सिंह रावत)

अनुभाग अधिकारी एवं

लोक सूचना अधिकारी।

प०संख्या- 565 /XXV- 53(P-14) /2021, तददिनांक।

प्रतिलिपि- Samir Sardana D-13, Sector 4, Defence Colony, Dehradun को सूचनार्थ प्रेषित।

B.S. Rawat

(बसन्त सिंह रावत)

अनुभाग अधिकारी एवं

लोक सूचना अधिकारी।

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड

विश्वकर्मा भवन, प्रथम तल, सचिवालय परिसर 4-सुभाष रोड़, देहरादून- 248001

Email id- ceo_uttaranchal@eci.gov.in

फोन न० (0135)- 2713551

फैक्स न० (0135)-2713724,

संख्या-565/xxv-53(P-14)/2021 देहरादून : दिनांक 11 अप्रैल, 2023

सूचना के अनुरोध को दूसरे प्राधिकारी को हस्तांतरण के लिए प्रपत्र

सेवा में,

- केन्द्रीय लोक सूचना अधि० / प्रधान सचिव, भारत निर्वाचन आयोग नई दिल्ली। /
- समस्त लोक सूचना अधिकारी सहायक जिला निर्वाचन अधिकारी उत्तराखण्ड।
- लोक सूचना अधिकारी/सहायक आयुक्त राज्य निर्वाचन आयोग निर्वाचन भवन मसूरी बाईपास लाडपुर रोड़, देहरादून।

विषय- सूचना के अधिकार अधिनियम-2005 के तहत सूचना के सम्बन्ध में।
महोदय,

उपरोक्त विषयक Samir Sardana D-13, Sector 4, Defence Colony, Dehradun का अनुरोध पत्र जो इस कार्यालय में दिनांक 05.04.2023 को प्राप्त हुआ है, की प्रति संलग्न कर इस आशय से प्रेषित की जा रही है जिसमें निम्नानुसार सूचनायें आपके कार्यालय से सम्बन्धित हैं:-

विभाग का नाम जिन्हे सूचना हस्तान्तरित की जा रही है।	विषय वस्तु	सूचना का विवरण
लोक सूचना अधिकारी राज्य निर्वाचन आयोग लाडपुर देहरादून	Section 4	बिन्दु संख्या-3 एवं 4
	Inspection	बिन्दु संख्या-2
	Vote results	बिन्दु संख्या-2
	Voter Deletions	बिन्दु संख्या-3 एवं 4
समस्त लोक सूचना अधिकारी/सहा० जिला निर्वाचन अधिकारी उत्तराखण्ड।	Registered Unrecognised political Parties	बिन्दु संख्या-1 एवं 3
	Antecedents	बिन्दु संख्या-1
	EVM	बिन्दु संख्या-3
	Audit	बिन्दु संख्या-1 एवं 2
केन्द्रीय लो०सू०अधि०/ प्रधान सचिव, भारत निर्वाचन आयोग नई दिल्ली।	EVM	बिन्दु संख्या-2
	Audit Reports	बिन्दु संख्या-1
	Contribution Reports	बिन्दु संख्या-1

अतः अनुरोध पत्र सूचना का अधिकार अधिनियम-2005 की धारा 6(3) के अन्तर्गत अग्रेत्तर कार्यवाही हेतु आपको हस्तान्तरित किया जा रहा है। कृपया अनुरोधकर्ता को अपने कार्यालय से सम्बन्धित वांछित सूचना अपने स्तर से नियमानुसार उपलब्ध कराने का कष्ट करें।

संलग्न-यथोपरि।

भवदीय

B S Rawat

(बसन्त सिंह रावत)

अनुभाग अधिकारी एवं
लोक सूचना अधिकारी।

पृ०संख्या- 565/xxv-53(P-14)/2021, तददिनांक।

प्रतिलिपि- Samir Sardana D-13, Sector 4, Defence Colony, Dehradun को सूचनार्थ प्रेषित।

B S Rawat

(बसन्त सिंह रावत)

अनुभाग अधिकारी एवं
लोक सूचना अधिकारी।

THE PIO
Office of the Chief Electoral Officer, Uttarakhand,
Vishwakarama Bhawan, first Floor
Secretariate Campus, 04-Shubhash Road
Dehradun - 248001

3/1/2023

Subject – CEC UTTARAKHAND - RTI Application for Inspection, Certified Copies and information u/s 2(i), and 6(1) of the RTI Act

Dear Sir,

RTI Application and IPO

- 1.1. This is a "RTI Application u/s 2(f), 2(j) & 6(1)" of the "RTI Act, 2005",
- 1.2. An IPO of Rs 10/- has been sent to you by speed post

IPo/B-10/1

60F
182142

2. Particulars of RTI Applicant

2.1. Particulars of the RTI Applicant, are as under :

- Name of RTI Applicant - Samir Sardana
- Address - D-113, Sector 4, Defense Colony, Dehradun, Uttarakhand -248001.

3. Context and Public Disclosure

3.1. As per the CIC, Election affidavits, expenses and results by polls and candidates are to be uploaded on portals of cec free of cost

- <https://timesofindia.indiatimes.com/india/public-representative-cant-deny-declared-info-under-rti-cic/articleshow/66057436.cms>
- <https://www.moneylife.in/article/upload-credentials-and-affidavits-of-panchayat-election-candidates-orders-mps-information-commissioner/64402.html>
- <https://www.thehindu.com/news/cities/Hyderabad/candidates-affidavit-should-be-open-to-public-scrutiny/article25419875.ece>

3.2. Many states upload the Election affidavits, expenses and results by polls and candidates on their portal

- <https://ceobihar.nic.in/affidavits.html>
- <https://ceoelection.maharashtra.gov.in/ceo/Affidavits/candidate-affidavits.aspx>
- <https://ceochhattisgarh.nic.in/en/candidates-affidavit-and-expenses>

4. PUBLIC AUTHORITY

4.1. CEC UTTARAKHAND IS A PUBLIC AUTHORITY , UNDER THE RTI ACT

5. RTI Information Sought

5.1. The Following Information is sought from the PIO

AROI/III
 गुपना अफने से
 सहायता परल के
 किन्तु को की एच ना
 AROI को गुपना पर
 अर्थ, गुपना
 B. Sarawat
 6-6-2
 S.O
 PIO

183

- DEI
- PIO TO STATE IF ANY IT AUDIT HAS BEEN DONE, OF THE VOTER LIST, AND VOTER I CARD SYSTEM, IN THE LAST 5 YEARS
 - PIO TO STATE THE YEAR OF THE SAID AUDIT, NAME OF AUDITOR AND PROVIDE A COPY OF AUDIT REPORT

AUDIT REPORTS

- ECI
- PIO TO STATE THE NAMES OF THE POLITICAL PARTIES, WHICH DID NOT SUBMIT THEIR AUDIT REPORTS AND ANNUAL ACCOUNTS, FOR THE LAST 2 YEARS
 - PIO TO ALLOW THE APPLICANT TO INSPECT THE AUDIT REPORTS AND ANNUAL ACCOUNTS, SUBMITTED TO THE CEC UTTARAKHAND BY REGISTERED POLITICAL PARTIES

CONTRIBUTION REPORTS

- ECI
- PIO TO STATE THE NAMES OF THE POLITICAL PARTIES, WHICH DID NOT SUBMIT THEIR CONTRIBUTION REPORTS, FOR THE LAST 2 YEARS
 - PIO TO ALLOW THE APPLICANT TO INSPECT THE CONTRIBUTION REPORTS, SUBMITTED TO THE CEC UTTARAKHAND BY POLITICAL PARTIES

6. Information required in Public Interest

5.1. The Public interest is obvious and will be explained in the appeal

7. Burden of Proof - By Law and Case Laws

7.1. As per Section 19(5) of the RTI Act, 2005, the burden of proof lies in the PIO/CPIO/Public Authority. According to Section 19(5) "In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request."

The same is also held in BS. Mathur Vs. Public Information Officer of Delhi High Court, W.P. (C) 295 and 608/2011 High Court of Delhi".

7.2. As per Section 20(1) of the RTI Act - Provided further that the "burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer" or the State Public Information Officer, as the case may be.

Yours Sincerely,

Samir Sardana

D-113, Sector 4,
Defense Colony,
Dehradun
Uttarakhand -248001

3/5

3/1/2023

THE PIO

Office of the Chief Electoral Officer, Uttarakhand,

Vishwakrama Bhawan, first Floor

Secretariate Campus, 04-Shubhash Road

Dehradun - 248001

Subject – CEC UTTARAKHAND - RTI Application for Inspection, Certified Copies and information u/s 2(j), and 6(1) of the RTI Act

Dear Sir,

RTI Application and IPO

1.1.This is a "RTI Application u/s 2(f),2(j) & 6(1)" of the "RTI Act,2005",

1.2.An IPO of Rs 10/- has been sent to you by speed post

IPo/B-104
60F
182142

2.Particulars of RTI Applicant

2.1.Particulars of the RTI Applicant, are as under :

- Name of RTI Applicant - Samir Sardana
- Address - D-113,Sector 4,Defense Colony, Dehradun, Uttarakhand -248001.

3.Context and Public Disclosure

3.1. As per the CIC,Election affidavits,expenses and results by polls and candidates are to be uploaded on portals of cec free of cost

- <https://timesofindia.indiatimes.com/india/public-representative-cant-deny-declared-info-under-rti-cic/articleshow/66057436.cms>
- <https://www.moneylife.in/article/upload-credentials-and-affidavits-of-panchayat-election-candidates-orders-mps-information-commissioner/64402.html>
- <https://www.thehindu.com/news/cities/Hyderabad/candidates-affidavit-should-be-open-to-public-scrutiny/article25419875.ece>

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- <https://ceoelection.maharashtra.gov.in/ceo/Affidavits/candidate-affidavits.aspx>
- <https://ceochhattisgarh.nic.in/en/candidates-affidavit-and-expenses>

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AROI/III
 कृपया अपने ले
 सम्बन्धित पत्र के
 किन्तु जो की सूचना
 AROI को 34लाय
 माते।
 प्रतम मनोजी
 कृपया प्रत उर कोर P10
 मरूप के समक।
 6-4-23
 5-07
 P10
 6-4-2023

Section 4

- PIO to provide the election affidavits and expenses, of all the winning candidates, in the last Lok Sabha and State Polls
- PIO to provide the aggregate assets, liabilities, age, Educational Qualifications of all the winning candidates, in the last Lok Sabha and State Polls
- PIO to provide the election affidavits and expenses, of all the winning candidates, in the last Panchayat Polls
- PIO to provide the aggregate assets, liabilities, age, Educational Qualifications of all the winning candidates, in the last Panchayat Polls

Inspection

- PIO to allow the applicant to inspect the election affidavits of the candidates, in the last Lok Sabha and State Polls, for the Top 2 candidates by vote number for each seat
- PIO to allow the applicant to inspect the election affidavits of the candidates, in the last Panchayat Polls, for the Top 2 candidates by vote number for each seat

Vote results

- PIO to provide the FINAL VOTING RESULTS, by Sex, Age, Religion and Caste, in the last Lok Sabha and State Polls, for the Top 2 candidates by vote number for each seat
- PIO to provide the FINAL VOTING RESULTS, by Sex, Age, Religion and Caste, in the last Panchayat Polls, for the Top 2 candidates by vote number for each seat

Voter Deletions

- PIO to state the number of names DELETED from the voter lists, in the last Lok Sabha and State Polls
- PIO to state the number of names DELETED from the voter lists, by Sex, Age, Religion and Caste, in the last Lok Sabha and State Polls
- PIO to state the number of names DELETED from the voter lists, in the last Panchayat Polls
- PIO to state the number of names DELETED from the voter lists, by Sex, Age, Religion and Caste, in the last Panchayat Polls

Registered Unrecognised Political Parties

- PIO to state the names of the Registered Unrecognised Political Parties in the last 3 Lok Sabha and State Polls (who contested the polls)
- PIO to state the names of the Registered Unrecognised Political Parties in the state of Uttarakhand
- PIO to state the number of votes of EACH the Registered Unrecognised Political Parties in EACH of the last 3 Lok Sabha and State Polls

Delimitation

- PIO to state the number of orders and order ref number of the Orders of the Delimitation Commission for the state of Uttarakhand and provide copies of the same

Antecedents

- PIO to state the names of the candidates with criminal antecedents (with addresses and parties), in the last 2 Lok and Rajya Sabha Polls

EVM

- PIO to state the number of EVM, which malfunctioned in the last Lok Sabha and Rajya Sabha Polls
- PIO to state if any IT or other TECHNICAL AUDIT OF THE EVM HAS BEEN DONE/SPONSORED BY CEC UTTARAKHAND, IN THE LAST 5 YEARS
- PIO TO STATE THE YEAR OF THE SAID AUDIT, NAME OF AUDITOR AND PROVIDE A COPY OF AUDIT REPORT

AUDIT

2/3



- PIO TO STATE IF ANY IT AUDIT HAS BEEN DONE, OF THE VOTER LIST, AND VOTER I CARD SYSTEM, IN THE LAST 5 YEARS
- PIO TO STATE THE YEAR OF THE SAID AUDIT, NAME OF AUDITOR AND PROVIDE A COPY OF AUDIT REPORT

AUDIT REPORTS

- PIO TO STATE THE NAMES OF THE POLITICAL PARTIES, WHICH DID NOT SUBMIT THEIR AUDIT REPORTS AND ANNUAL ACCOUNTS, FOR THE LAST 2 YEARS
- PIO TO ALLOW THE APPLICANT TO INSPECT THE AUDIT REPORTS AND ANNUAL ACCOUNTS, SUBMITTED TO THE CEC UTTARAKHAND BY REGISTERED POLITICAL PARTIES

CONTRIBUTION REPORTS

- PIO TO STATE THE NAMES OF THE POLITICAL PARTIES, WHICH DID NOT SUBMIT THEIR CONTRIBUTION REPORTS, FOR THE LAST 2 YEARS
- PIO TO ALLOW THE APPLICANT TO INSPECT THE CONTRIBUTION REPORTS, SUBMITTED TO THE CEC UTTARAKHAND BY POLITICAL PARTIES

6. Information required in Public Interest

5.1. The Public interest is obvious and will be explained in the appeal

7. Burden of Proof - By Law and Case Laws

7.1. As per Section 19(5) of the RTI Act, 2005, the burden of proof lies in the PIO/CPIO/Public Authority. According to Section 19(5) "In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request."

The same is also held in **BS. Mathur Vs. Public Information Officer of Delhi High Court, W.P. (C) 295 and 608/2011 High Court of Delhi**".

7.2. As per Section 20(1) of the RTI Act - Provided further that the **"burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer"** or the State Public Information Officer, as the case may be.

Yours Sincerely,

Samir Sardana

D-113, Sector 4,
Defense Colony,
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