

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड

विश्वकर्मा भवन, प्रथम तल, सचिवालय परिसर 4-सुभाष रोड, देहरादून- 248001  
Email id- ceo\_uttaranchal@eci.gov.in फोन न० (0135) - 2713551  
election09@gmail.com फोन न० (0135) -2713724.

संख्या- 2904/XXV- /2018 देहरादून : दिनांक 22 अगस्त, 2019

सेवा में,

Satya Sai Harsha Dutta  
Add- E-1804, 7 Hills Apartment, Power Welfare Society  
Narsingi, Hyderabad,  
Telangana, 500075

विषय- सूचना का अधिकार अधिनियम 2005 के तहत सूचना उपलब्ध कराने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक अनुरोधकर्ता के हस्ताक्षर रहित पत्र दिनांक 14.8.2019 जो इस कार्यालय में दिनांक 22.8.2019 को प्राप्त हुआ है के बिन्दु संख्या- 1 के सम्बन्ध में अवगत कराना है कि उत्तराखण्ड राज्य में कोई भी विधान सभा निर्वाचन क्षेत्र महिला अभ्यर्थी हेतु आरक्षित नहीं है। बिन्दु संख्या 1 से 5 की सूचना राज्य निर्वाचन आयोग से सम्बन्धित भी है फलस्वरूप अनुरोध पत्र हस्तान्तरित किया जा रहा है।

इस आदेश के अर्न्तगत दी गई जानकारी से यदि असंतुष्ट हों तो आदेश प्राप्ति की तिथि से 30 दिन के अन्दर विभाग के अपीलीय अधिकारी जिनका पता निम्नवत है, अपील दायर कर सकते हैं।

अपीलीय अधिकारी का पता  
सहायक मुख्य निर्वाचन अधिकारी,  
विश्वकर्मा भवन, प्रथम तल,  
सचिवालय परिसर 4-सुभाष रोड,  
देहरादून- 248001,

भवदीय,

(डी०पी० डंगवाल)  
अनुभाग अधिकारी एवं  
लोक सूचना अधिकारी।

पृ०संख्या-2904/XXV- /2018 , तददिनांक।

प्रतिलिपि:- सचिव/लोक सूचना अधिकारी राज्य निर्वाचन आयोग को इस आशय से प्रेषित कि अनुरोधकर्ता द्वारा बिन्दु संख्या 1 से 5 पर उल्लिखित समस्त बिन्दुओं पर चाही गयी सूचना आपके कार्यालय से सम्बन्धित है फलस्वरूप अनुरोध पत्र आपको हस्तान्तरित किया जा रहा है कृपया अनुरोधकर्ता को अपने स्तर से सूचना उपलब्ध कराते हुए उक्त कार्यवाही से इस कार्यालय को भी अवगत कराने का कष्ट करें।

संलग्नक - यथोपरि।

(डी०पी० डंगवाल)  
अनुभाग अधिकारी एवं  
लोक सूचना अधिकारी।

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# RTI Request under Section 6(1) of the RTI Act, 2005

PIO, Office of the Chief Electoral Officer,  
Vishwakarama Bhawan, first Floor  
Secretariat Campus, 04-Subhash Road  
Dehradun, Uttarakhand 248001

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Received  
22/8/19

Date: 14/8/2019

Dear Public Information Officer,

Please furnish the following information as requested, which is of vital public interest related to the representation of several women candidates at Panchayat Elections. Failing to this will attract the **penalty and disciplinary action from the SIC** under Sections 18(1), 20(1) and (2) of RTI Act, 2005. And, if any information or part of it is not available to you then as per Section 6 (3) of RTI Act, you have the power to transfer the application or parts of it, if the same relates to information held by another public authority / PIO concerned immediately and please collect information from the third party if required as per Section 8 - within 5 days - and **also inform me about the transfer in writing**. Also, provide the information or part of it based on the clause of Severability as per Section 10. As per **Section 7 (9)**, I prefer to receive the information in the same manner as I have asked, in the form of printouts by post as well as via email [harsha7dutta@gmail.com](mailto:harsha7dutta@gmail.com). And, also mention the name, contact no. and address of Appellate Authority in reply as per Sections 7 and 19 of RTI Act 2005.

The information I am seeking is in regards to Article 243D Section 4 in the 73rd Amendment of the Indian Constitution, which says that the "offices of Chairpersons reserved for Women are allotted by Rotation to different Panchayats at each level". The information I am seeking belongs Panchayat Elections during the three time periods characterized as Period I from the year 1993-2003, Period II from the year 2004 to 2014 and Period III from the year 2015- July 2019. Therefore, please provide the following information in the form/manner as requested:

1. As per Section 2 subsection (f) please provide the information about the (a) names of women contestants of reserved constituencies (b) reserved category they belong to (c) age (d) details constituency they contested i.e., district, block and village name (e) election result for Period I
2. Please provide the information asked in Query 1 for Period II.
3. Please provide the information asked in Query 1 for Period III.
4. As per Section 4 subsection 1 clause (vi) please provide the information along with the document as (a) names of the village reserved as per the Article 243 D for the Time Period I, II and III.
5. Please provide the information about the (a) name (b) village (c) constituency (d) category of the disqualified candidates during the Time Period I, II and III.

**Relevant Judgment:** In recent judgment Decision No. CIC/SG/A/2010/900396/7357 Shailesh Gandhi, the then Central Information Commissioner said, "...the complete information was not provided by the PIO of the sub-divisional magistrate (Model Town) at Delhi to the appellant. The PIO is now directed to provide specific information like present status of application along with file notings and correspondence available on the records and names and definitions of officers who have dealt with the file." Mr Gandhi said, "from the facts before the Commission, the PIO is guilty of not furnishing information within the time specified under sub-section (1) of Section 7 by not replying in 30

# Request under Section 6(1) of the RTI Act, 2005

ays". The Commission then issued a **show-cause notice to the PIO** and asked him to give his written submissions as to why penalty should not be imposed on him as per Section 20(1) of the RTI Act.

**Similar Judgment:** In a significant Decision No. CIC/SM/A/2011/001324/SG/14256, the hon'ble CIC has stated that as far as disclosing information is concerned the RTI Act supersedes provisions of all earlier Acts.

"The Commission does not accept the plea of the PIO for refusal to give the information under Section 8(1)(d) &(e) of the RTI Act since the information is over 20 years old and the provisions of Section 8(3) of the RTI Act will apply in the instant case," he said.

While allowing the appeal, the CIC directed the PIO to provide the information sought to the appellant (Thakkar) before 25 September 2011.

If my RTI request or part of the request is rejected by PIO then **provide the reason for rejection** as per **Section 7 (8)** of RTI Act. Initial request fee under Section 6(1): Rs. 10 with additional fee of Rs 20 paid by me through Indian Postal Order(s) ( 206 088164 ) (UPF 50205 ) ) for extra pages as per the RTI Rules 2012.

Thank you.

Satya Sai Harsha Dutta  
Address: E-1804, 7 Hills Apartment, Power Welfare Society  
Narsingi, Hyderabad,  
Telangana, 500075