

ok
Mehmood M. Abdi

A-901, Meera Towers,
(Near Mega Mall),
Oshiwara, Andheri (west),
Mumbai-400058

Phone : 022-26360778

mobile : 993000-6489

Email : m2abdi@yahoo.co.in

mehmood14abdi@gmail.co

Date: 5th November, 2012

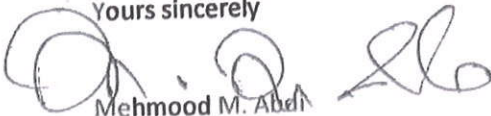
Senior Police Inspector
Anti Extortion Cell
Office of the Commissioner of Police,
Crawford Market, Mumbai

Dear Sir,

Re: Application under RTI Act, 2005 dated 3rd December, 2010 and your letter dated 22nd October, 2012 bearing Ref No. Dispatch No. 2560/2012.

1. With reference to your above referred letter dated 22nd October, 2012 bearing Ref No. Dispatch No. 2560/2012 vide which I was called upon to visit your office on 25th October, 2012 for inspection of the files relating to security of Mr. Lalit Modi and his family members. The said inspection was granted in compliance of the order dated 19th October, 2012 passed by the Chief Information Commissioner, Maharashtra allowing my Appeal/Complaint and directing the Mumbai Police to allow me inspection of the security related files of Mr Lalit Modi and also taking copies thereof.
2. Since your above letter ~~of~~ was delivered to me only on 26th October, 2012, I visited your office on the next working day i.e. Monday 29th October, 2012 at which time Police Inspector Mr. Maykar allowed me the inspection of the file relating to security of Mr. Lalit Modi. Copies of documents from page 27 to 165 were also provided to me by Mr. Maykar. However, upon perusal of the said file provided to me it has been noted that no letters/ documents relating to the withdrawal of security of Mr. Modi and his family members were there on the said file. Whereas the security of Mr. Modi and his family members were officially withdrawn by Mumbai Police.
3. In view of the above you are requested to kindly confirm whether there are any documents relating to withdrawal of security of Mr. Lalit Modi and his family members in your records. If so, then please allow me inspection of the said records and provide me copies of the relevant documents. In case the said documents are not available at your end, I shall be grateful if you kindly indicate from where in the Mumbai Police Administration I can obtain such documents so that the said authority can be approached accordingly for inspection and issuance of copies of the relevant documents.

Yours sincerely


Mehmood M. Abdi



Recd on
5/11/12
12.00
A. Q. M.
Haw 26516/TACC

ok
Mehmood M. Abdi

A-901, Meera Towers,
(Near Mega Mall),
Oshiwara, Andheri (west),
Mumbai-400058

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Date: 5th November, 2012

Senior Police Inspector
Anti Extortion Cell
Office of the Commissioner of Police,
Crawford Market, Mumbai

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Yours sincerely

Mehmood M. Abdi



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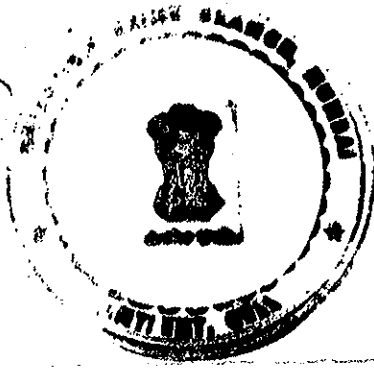
जावक क्र. २५६० / २०१२.
वरिष्ठ पोलीस निरीक्षक,
खंडणी विरोधी कक्ष,
गु.प्र.शा., गु.अ.वि., मुंबई.
दिनांक :- २२/१०/२०१२.

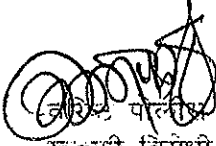
प्रति,

श्री. मेहबुब एम. आबदी.
अ-९०१, मिरा टॉवर्स,
मेगा मॉल जवळ, ओशिवरा
अंधेरी (पश्चिम) मुंबई.

विषय :- माहिती अधिकार कायदा-२००५ अन्वये केलेल्या अर्जाबाबत..

उपरोक्त विषयास अनुसरून आपणास असे कळविण्यात येते की, आपण केलेल्या अपिलासंदर्भात मा. राज्य मुख्य माहिती आयुक्त, यांनी दिनांक १९/१०/२०१२ रोजी केलेल्या आदेशा नसार आपले अशिल श्री. ललित भोदी यांचे संदर्भातील फाईलची पहाणी करण्याकरीता आपण दि. २५/१०/१२ रोजी सायंकाळी ४ ते ६ या वेळामध्ये या कक्षात समक्ष हजर राहावे असे आदेश मा. राज्य मुख्य माहिती आयुक्त यांनी दिलेल्या आदेशाची पूर्तता करता येईल.




वरिष्ठ पोलीस निरीक्षक,
खंडणी विरोधी कक्ष,
गु.प्र.शा., गु.अ.वि., मुंबई.

Dispatch No.2560/2012

Senior Police Inspector,

Anti Extortion Cell,

Crime Cell, CID Office, Mumbai

Date: 22/10/2012.

To,

Mehmood M. Aabdi

A/901, Mira Towers,

Opposite Mega Mall, Oshiwara,

Andheri (West) Mumbai: 400 053

Subject: Application filed under Right To Information Act 2005.

Sir,

Under the reference and subject we hereby inform you that Hon'ble State Information Commissioner has passed order dated 19/10/2012 in your appeal and as per the said order you are hereby asked to remain present for inspection of files of your client Mr. Lalit Modi on 25/10/2012 between 4 to 6 PM in office so there will be compliance of order of Hon'ble State Chief Information Commissioner

For your perusal.

(Signature)

Seal

Senior Police Inspector,

Anti Extortion Cell,

Crime Cell, CID Office, Mumbai

*certified copy of
translation
on file*

ADVOCATE VIVEK GORE
B/24, Priyadarshini Society,
Shivaji Road, Kandivali (W).
Mumbai-400 067

राज्य मुख्य माहिती आयुक्त, राज्य माहिती आयोग, महाराष्ट्र राज्य यांच्यासमोर माहितीचा अधिकार अधिनियम २००५ मधील कलम १९ (३) अन्वये दाखल झालेले अपील
क्र.मुमाआ/नोंदणी क्र. १२८१/११/अपील क्र.१२०१/२०१२/०२

श्री. मेहमूद एम. आबदी,
अ - ९०१, मीरा टॉवर्स, मेघा मॉलच्या समोर,
ओशिवरा, अंधेरी (पश्चिम), मुंबई ४०० ०५३.

प्रथम अपिलीय अधिकारी तथा पोलीस उप आयुक्त (प्रतिबंधक),
पोलीस आयुक्तालय यांचे कार्यालय, छत्रपती शिवाजी मंडई,
३ रा मजला, मुंबई ४०० ००१.

उत्तरवादी

जन माहिती अधिकारी तथा सहा. पोलीस आयुक्त (गुन्हे),
पोलीस आयुक्त यांचे कार्यालय, डी.एन. रोड,
क्रॉफर्ड मार्केट, मुंबई ४०० ००१.

द्वितीय अपिलाचा दिनांक : १३.०६.२०११
सुनावणीचा दिनांक : दिनांक: १९.१०.२०१२ (दुपारी ०३.०० वा.)
अपीलकर्ता : उपस्थित
जन माहिती अधिकारी : उपस्थित
प्रथम अपिलीय प्राधिकारी : उपस्थित

मूळ अर्जाचा दिनांक	जन माहिती अधिकाऱ्याच्या उत्तराचा दिनांक	प्रथम अपिलाचा दिनांक	प्रथम अपिलीय प्राधिकार्याच्या निर्णयाचा/आदेशाचा दिनांक
०३.१२.२०१०	१३.१२.२०१०	१९.०१.२०११	२८.०१.२०११

या प्रकरणात आयोगाने अगोदरच अपिलकर्ता यांनी दि.३.१२.२०१० रोजी दाखल केलेल्या माहिती अर्जाच्यासंदर्भात दि.७.९.२०१२ (अपील क्र.८३७/२०१२/०२) रोजी आदेश निर्गमित केले आहेत यास्तव या प्रकरणात पुनश्च आदेश देणे शक्य नाही. अपिलकर्ता यांनी मात्र बरील दिनांक ७.९.२०१२ च्या आदेशाची अंमलबजावणी झाली नसल्याचे म्हटले आहे. त्यासाठी ते माहितीचा अधिकार अधिनियमाच्या कलम-१८ अन्वये स्वतंत्रपणे तक्रार दाखल करू शकतात.

मुंबई
दिनांक : १९ ऑक्टोबर, २०१२



रत्नाकर गायकवाड
(रत्नाकर गायकवाड)
राज्य मुख्य माहिती आयुक्त

BEFORE STATE CHIEF INFORMATION COMMISSIONER, STATE INFORMATION
COMMISSION, Maharashtra State appeal filed under section 19 (3) of Right To
Information Act 2005

No. MMA/ Registration No.1281/11/Appeal No.
1201/2012/02

Mehmood M. Abdi

A/901, Mira Towers,

Opposite Mega Mall, Oshiwara,

Andheri (West) Mumbai: 400 053

First Appellate Officer and Addl. Police Commissioner (Preventive)

Police Commissioners Office, Chatrapati Shivaji Mandai,

3rd Floor, Mumbai: 400 001

Respondent

Public Information Officer and Deputy Police Commissioner(Crime)

Police Commissioners Office, D.N. Road,

Crawford Market, Mumbai: 400 001

Date of Second Appeal: 13.06.2011

Date of hearing: date: 19.10.2012 (3 in afternoon)

Appellant: Present

Public Information Officer: Present

First Appellate Officer: Present

Date of original application	Reply date of Public Information Officer	Date of First Appeal	Date of order by First Appellate Officer
03.12.2010	13.12.2010	19.01.2011	28.01.2011

In this case the Hon'ble Information Commission already passed order in appeal filed by appellant dated 3.12.2010 in RTI Application dated 7.9.2012 (Appeal No. 837/201202) and therefore we cannot pass order again in this case. But the

*certified copy of
translation
v.n.r. Gore*

ADVOCATE VIVEK GORE
B/24, Priyadarshini Society,
Shivaji Road, Kandivali (W),
Mumbai-400 067.

राज्य मुख्य माहिती आयुक्त, राज्य माहिती आयोग, महाराष्ट्र राज्य यांच्यासमोर माहितीचा अधिकार
अधिनियम २००५ मधील कलम १९ (३) अन्वये दाखल झालेले अपील

क्र.मुमाआ/नोंदणी क्र.१२८०/११/अपील क्र.८३७/२०१२/०२

अपीलकर्ता

श्री. मेहमूद एम. आबदी,

अ - ९०१, मीरा टॉवर्स,

मेधा मॉलच्या समोर,

ओशिवरा, अंधेरी (पश्चिम), मुंबई ४०० ०५३.

प्रथम अपिलीय अधिकारी तथा पोलीस उप आयुक्त (प्रतिबंधक),

शिवाजी मार्केट, पोलीस आयुक्तांचे कार्यालय,

मुंबई ४०० ००१.

उत्तरवादी

जन माहिती अधिकारी तथा सहा. पोलीस आयुक्त (गुन्हे शाखा),

पोलीस आयुक्तांचे कार्यालय, डी. एन. रोड,

मुंबई ४०० ००१.

द्वितीय अपिलाचा दिनांक : १३.०६.२०११
सुनावणीचा दिनांक : ०७.०९.२०१२ दुपारी १२.००
अपीलकर्ता : उपस्थित/अनुपस्थित
जन माहिती अधिकारी : उपस्थित/अनुपस्थित
प्रथम अपिलीय प्राधिकारी : उपस्थित/अनुपस्थित

मूळ अर्जाचा दिनांक	जन माहिती अधिकाऱ्याच्या उत्तराचा दिनांक	प्रथम अपिलाचा दिनांक	प्रथम अपिलीय प्राधिकाऱ्याच्या निर्णयाचा/आदेशाचा
३.१२.२०१०	९.२.२०११ व ७.३.२०११	२४.२.२०११	३१.०१.२०११ व ०८.०६.२०११

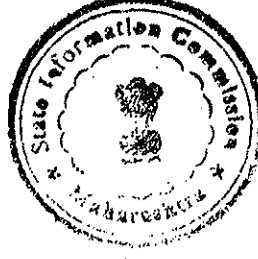
अपीलकर्ता यांनी माहितीचा अधिकार अधिनियम २००५ च्या कलम-६(१)अन्वये त्यांचा अर्ज दि. ३.१२.२०१० रोजी जन माहिती अधिकारी यांच्याकडून माहिती मागविली होती. जन माहिती अधिकारी यांनी विहित मुदतीत माहिती न दिल्याने अपीलकर्ता यांनी त्यांच्या दि. २४.२.२०११ रोजी प्रथम अपील दाखल केले. प्रथम अपिलीय अधिकारी यांनी त्यांच्या आदेशान्वये जन माहिती अधिकारी यांनी माहितीचा अधिकार अधिनियम २००५ च्या कलम ८ (१) (छ) च्या आधारे माहिती नाकारण्याचा निर्णय रद्दबातल करून अर्जात नमूद केलेल्या मुद्द्यांबाबत माहिती तात्काळ अपीलकर्ता यांना देण्याचे आदेश देऊन अपील निकाली काढले. तथापि, आश्चर्य म्हणजे प्रथम अपिलीय प्राधिकारी यांनी त्यांच्याच आदेशाविपरित दि. ०८.०६.२०११ रोजी असे आदेश दिले की, अपीलकर्ता यांना माहिती माहितीचा अधिकार अधिनियम २००५ च्या कलम ८ (१) (छ) अन्वये देऊ नये. वास्तविक एकाच प्रकरणात अशा प्रकारचे दोन आदेश पारित करणे अधिनियमाच्या तरतुदीशी सुसंगत नाही.

अपीलकर्ता यांनी त्यांच्या दि. ३.१२.२०१० रोजीच्या अर्जान्वये मागितलेली पूर्ण माहिती अद्याप अपीलकर्ता यांना मिळालेली नसल्याचे सांगितले. त्यावर जन माहिती अधिकारी यांनी असे सांगितले की, अपीलकर्ता यांनी त्यांच्या मूळ अर्जात त्यांच्याकडे त्रयस्थ पक्षांनी (श्री ललित मोदी) पावर ऑफ अटर्नी असल्याचे नमूद केले नव्हते. तथापि, अपीलकर्ता यांच्या म्हणण्यानुसार ही वस्तुस्थिती प्रथम अपिलीय प्राधिकारी यांच्या निदर्शनास आणली होती. यावर जन माहिती अधिकारी यांनी या वस्तुस्थितीचे खंडन केले.

असे आदेश देण्यात येतात की, अपीलकर्ता यांना त्यांनी श्री. ललित मोदी यांची पावर ऑफ अटर्नी सादर केल्यानंतर उपलब्ध अभिलेख त्यांना पुढील आठ दिवसात उपलब्ध करून द्याव्यात.

आदेश
अपील निकाली काढण्यात येत आहे.

मुंबई
दिनांक : ०७ सप्टेंबर, २०१२



२४०११५२२११
(रत्नाकर गायकवाड)
राज्य मुख्य माहिती आयुक्त

BEFORE STATE CHIEF INFORMATION COMMISSIONER, STATE INFORMATION
COMMISSION, Maharashtra State appeal filed under section 19 (3) of Right To
Information Act 2005

No. MMA/ Registration No.1281/11/Appeal No.
1201/2012/02

Mehmood M. Abdi

Appellant

A/901, Mira Towers,

Opposite Mega Mall, Oshiwara,

Andheri (West) Mumbai: 400 053

First Appellate Officer and Addl. Police Commissioner (Preventive)

Police Commissioners Office, Shivaji Market,

3rd Floor, Mumbai: 400 001

Respondent

Public Information Officer and Deputy Police Commissioner(Crime)

Police Commissioners Office, D.N. Road,

Mumbai: 400 001

Date of Second Appeal: 13.06.2011

Date of hearing: date: 07.09.2012 (3 in afternoon)

Appellant: Present/not present

Public Information Officer: Present/not present

First Appellate Officer: Present/not present

Date of original application	Reply date of Public Information Officer	Date of First Appeal	Date of order by First Appellate Officer
03.12.2010	9.2.2011 and 7.3.2011	24.2.2011	31.01.2011 and 08.06.2011

Appellant has asked for information under section 6(1) under Right To Information Act, 2005 vide application dated 3.12.2010. the public Information

*Certified copy
of Translation
Vivek Gore*

ADVOCATE VIVEK GORE
B/24, Priyadarshini Society,
Shivaji Road, Kandivali (W),
Mumbai-400 067.

Officer has not provided the information in time therefore the appellant has filed first appeal on 24.2.2011. and first appellate authority has disposed the said appeal by order stating the under the section 8(1) (h) of Right To Information Act 2005 is not to be applied in this application and to provide the information to the applicant and by the said order the first appeal was disposed off. It is very surprising that after the said order the First Appellate Authority has passed the second order contradicting the first order and held the section 8(1) (h) of Right To Information Act 2005 the applicant should not be provided the information. There is no provision to pass two different orders in one case as it is not provided in the statute.

Appellant has stated that he has not received full information as asked in application dated 3.12.2010. the public Information Officer stated that applicant never mentioned that the applicant has got the Power Of Attorney of third party (Mr. Lalit Modi) but appellant states that he has disclosed the said fact to the Public Information Officer and now Public Information Officer is denying the said fact.

Now it is ordered that appellant to be provided all the documents within 8 days if the appellant furnishes the Power of Attorney of Mr. Lalit Modi.

Order

Appeal is disposed off

Sd/

(Ratnakar Gaikwad)

State Chief Information Commissioner

Mumbai

Date: 07 September, 2012

*certified copy of
translation.*

v.v. Gore

ADVOCATE VIVEK GORE
B/24, Priyadarshini Society,
Shivaji Road, Kandivali (W),
Mumbai-400 067.

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