



E-1900564/2016/RTI
3/10/16

ALL INDIA Dr. AMBEDKAR SC/ST WELFARE FEDERATION



M. Athikesavan, B.A., B.L.
National President

Regd.No. 142/1998

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Website : www.dr.ambedkar.net, Email : athikesavan.m@gmail.com, athikesavan.best@gmail.com, globalpresident.athi@gmail.com

REF: AIASC-STWF/21437/16

Date: 29.09.2016

To
The Public Information Officer,
M/o Road Transport & Highways,
Parivahan Bhavan, 1, Parliament Street,
NCT of Delhi,
PIN - 110 001.

O/o C. R. Section (RTH)
Dairy No/200456/2016
Date: 03/10/2016



Respected Sir/Madam,

SEEKING INFORMATION UNDER RTI ACT, 2005

SUB: REQUEST TO FURNISH THE FUNDS ACCOUNTING DETAILS OF THE BELOW DEPARTMENTS UNDER YOUR PARENT MINISTRY/DEPARTMENTS FROM 2014-15 TO 2016-17 - REG.

SPECIAL COMPONENT PLAN FOR SCHEDULED CASTES (SCP) AND TRIBAL SUB-PLAN FOR SCHEDULED TRIBES (TSP)

With reference to the above I am to state that The Special Component Plan for Scheduled Castes (SCP) and Tribal Sub-Plan for Scheduled Tribes (TSP) were initiated in the mid seventies with a view to channelize the flow of outlays and benefits from the general sector in the Central Ministries/Departments for the development of Scheduled Castes and Scheduled Tribes *at least in proportion to their population*, both in physical and financial terms. In this regard I am to state that it is understood that the Mid Term Appraisal of the Tenth Five Year Plan has noted that several Central Ministries/Departments have not earmarked adequate funds to SCP and TSP in proportion to the SC and ST population.

NON DIVERTABLE AND NON LAPSABLE OF FUNDS ALLOTTED TO SC & ST UNDER SCSP & TSP:

The Tribal Sub Plan (TSP) and Special Component Plan (SCP) should be an integral part of Annual Plans as well as Five Year Plans, making provisions therein non-divertible and non-lapsable, with the clear objective of bridging the gap in Socio-Economic Development of the SCs and STs within a period of 10 years.

SEPARATE HEAD OF ACCOUNTS FOR SCP AND TSP:

In the Union Budget 2011 - 12, the Government introduced two separate Budget statements - Statement 21 that specifically catered to SCs, and Statement 21A for STs. Allocations were thus made under separate Minor Heads 789 and 796 for 25 Central Ministries and

F-80(RTI) 3/10/16
Scm done to
1. AEE (Ply) Sh. V. Kumar
2. US (Bridg) Sh. R. Arunkumar
3. AEE (Kove) Sh. Nithin Prerna
4. LMAO
5. KMPDC
3/10/16
SO/RTI
Sh. A.M.

Departments. However, the study finds that the total quantum of allocations as shown in Statement 21 & 21A do not match the corresponding outlays from the DDGs. The outlays for SCs and STs work out much less as per analysis of DDGs.

The funds allotted to SC & ST should be fully utilized to SC & ST welfare schemes only and un-utilized funds should not be diversified, instead to be credited into the above Minor Head of accounts and carried forward for the successive year's Welfare Plans. Such carried over funds is to be utilized for the specific project for which it has been earmarked and should not be clubbed with other projects in the successive year.

SCHEMES OF INCENTIVES AND DISINCENTIVES:

A system of punishment and reward has also been inbuilt in the scheme. From village to division each officer concerned will be either suitably punished or rewarded according to his performance. This system of punishment and reward is based on objective criteria to maintain uniformity and prevent any complaints.

DISINCENTIVES:

Strict punishments are required to act as deterrents. However, they need to be implementable to be effective.

FALSE REPORTING:

If the District Level VO detects any false and advance reporting while verifying, cognizance needs to be taken at the District level itself, where the responsible village level, block level or district level functionary will be suitably punished according to the punishments prescribed by special Government Orders issued under the signatures of Chief Secretary. This will maintain uniformity in punishments throughout the State. If the Divisional Level VO on verification detects any false reporting, District Level VO will be suitable punished.

MISUSE OF FUNDS:

If misuse of funds is detected, First Information Report will be filed with the police against the guilty implementing officers. ATRs giving details of punishments imposed on various guilt officers will be sent to the Programme Implementation Department by the Divisional Commissioner positively by the end of every month.

SURPRISE CHECKS:

Surprise checks by the State Level Task Force will create psychological fear in the minds of all VOs and all the implementing officers.

SUSPENSION:

If any of the District Level Officer does not co-operate at any stage of the entire exercise, he will be directly punished by the Chief Minister by way of suspension of services.

INCENTIVES:

Incentives should be considered to act as motivators. Like disincentives, incentives should also be administered immediately to have effect.

GOLD MEDAL:

The District Magistrates and Chief Divisional Officers having first three positions in the State as per marks awarded according to the practice established by Government of for evaluation of 20 point programme will be rewarded by a Gold Medal along with an appreciation letter by the Chief Minister to be recorded in their character rolls. In an annual function of all IAS officer, District Level Officers and VOs along with their good workers will be suitably rewarded.

STRICT INSTRUCTIONS FOR THE EFFECTIVE IMPLEMENTATION OF SCSP BY THE GOVERNMENT OF GOA AND GUJARAT

In this regard I am to state that the Government of Goa has issued instructions to all the departments for strict adherence of SCSP guidelines of the Planning Commission since the funds earmarked by all the departments were far below the target of 2% and has reiterated to enhance the department's plan outlay to the extent of 2% - population percentage of SC in the State of Goa - through its official letter **No. DSW/STAT/SCSP/2013-14/2240 dated 6th June, 2013.**

Further to state that the same issue was raised and has been reiterated for the effective implementation of SCSP & TSP in the minutes of the meeting held on 21st November, 2012 in the Assembly chaired by the Hon'ble Speaker in the presence of Hon'ble Minister for Health & Hon'ble Minister for Social Welfare of the State.

In this regard, I am to state that the following departments are under your parent Ministry/Department:

SCHEMES UNDER TRIBAL SUB PLAN (IN CRORES OF RUPEES)					
S. NO.	MINISTRY OF ROAD TRANSPORT AND HIGHWAYS	2014 - 2015 ACTUAL	2015 - 2016 BUDGET	2015 - 2016 REVISED	2016 - 2017 BUDGET
01	SPECIAL PROGRAMME FOR DEVELOPMENT OF ROAD CONNECTIVITY IN NAXALITE AFFECTED AREAS	399.26	400.00	520.00	400.00
SUB TOTAL		399.26	400.00	520.00	400.00

Source: <http://indiabudget.nic.in/ub2016-17/eb/stat21a.pdf>

In the above circumstance, I hereby request you to furnish the accounting details of the above said departments to make further steps for our official purpose. Hence, I drawn this RTI to seek information regarding the SCSP/TSP and I request you to furnish the following below:

RTI QUERY

1. FURNISH THE PARTICULARS OF THE ABOVE SAID DEPARTMENTS BY SERIAL NO. WISE.
2. FURNISH THE FUNDS ACCOUNTING DETAILS OF THE ABOVE SAID DEPARTMENTS BY SERIAL NO. WISE VIZ., ALLOTTED, EXPENDITURE, RESTING BY YEAR WISE FROM 2014-15 TO 2016-17 WHICH COMES UNDER YOUR PARENT MINISTRY/DEPARTMENT AND KINDLY FILL UP THE ENCLOSED ANNEXURE-I WITH THIS.
3. HOW MUCH OF FUNDS STANDS RESTING BY EACH DEPARTMENT FROM THE ALLOTMENT BY THE YEAR 2014-15 TO 2016-17, FURNISH THE REASON.
4. HOW MUCH OF THE REMAINING FUNDS BY EACH DEPARTMENT CREDITED IN TO THE MINOR HEADS OF ACCOUNT 789 AND 796 UNDER STATEMENT 21 AND 21A FROM THE YEAR 2014-15 TO 2016-17?
5. HOW MUCH OF FUNDS DIVERSIFIED TO OTHER PROJECTS BY EACH DEPARTMENT FROM THE YEAR 2014-15 TO 2016-17 AND FURNISH THE REASON FOR DIVERSIFIED.
6. FURNISH THE REASON FOR NOT ALLOTTED OF FUNDS TO SOME OF THE ABOVE SAID DEPARTMENTS IN THE YEAR 2014-15 TO 2016-17.

In continuation of the above facts, I herewith submitted the RTI Application with applicable fees as a enclosure to sought the information from your end.

Awaiting the best compliance from your end.

With warm and best regards,


(M. ATHIKESAVAN)

Encl.: RTI Application & Annexure-I

(BY R.P.A.D)

**APPLICATION UNDER SECTION 6 (1) FOR SEEKING
INFORMATION UNDER THE RIGHTS TO INFORMATION ACT, 2005**

From
M.Athikesavan, B.A. B.L.,
547, East Avenue Road,
M.K.B. Nagar, Vyasarpadi,
Chennai - 600 039.
Post Box No.2701

1. Contact No. 044-26730014/15
Tele Fax No.044-26737373
(10.00 hrs to 17.00 hrs. on all week days)
2. Mobile No.99406 76868
(Round the clock all through the year)

To
The Public Information Officer,
M/o Road Transport & Highways,
Parivahan Bhavan, 1, Parliament Street,
NCT of Delhi,
PIN - 110 001.

REF: AIASC-STWF/RTI/21437/16



PART - I

- 1) Name of the Applicant : M.ATHIKESAVAN
- 2) Date of birth : 20.11.1953
- 3) Gender : Male
- 4) Father's full name : MUTHUKRISHNAN
- 5) Mother's full name : AMIRTHAMMAL
- 6) Present address with Pin Code : 547, East Avenue Road,
Telephone/Mobile No. : MKB Nagar, Vyasarpadi,
Residential/Office : Chennai - 600 039.
: Phone: 044-2673 0014/15
: Mobile: 09677175188 & 099406 76868
- 7) Permanent address with Pin Code : 547, East Avenue Road,
Telephone/Mobile No. : MKB Nagar, Vyasarpadi,
Residential/Office : Chennai - 600 039. (Post Box: 2701)
: Phone: 044-2673 0014/15
: Mobile: 09677175188 & 099406 76868
- 8) E-mail I.D. : athikesavan.m@gmail.com
- 9) Proof of Residence : Voter /Postal LD (Xerox copy enclosed)

PART – II

(i) *Specify the particulars of the information sought for in a separate sheet.*

QUERIES:

1. *FURNISH THE PARTICULARS OF THE ABOVE SAID DEPARTMENTS BY SERIAL NO. WISE.*
2. *FURNISH THE FUNDS ACCOUNTING DETAILS OF THE ABOVE SAID DEPARTMENTS BY SERIAL NO. WISE VIZ., ALLOTTED, EXPENDITURE, RESTING BY YEAR WISE FROM 2014-15 TO 2016-17 WHICH COMES UNDER YOUR PARENT MINISTRY/DEPARTMENT AND KINDLY FILL UP THE ENCLOSED ANNEXURE-I WITH THIS.*
3. *HOW MUCH OF FUNDS STANDS RESTING BY EACH DEPARTMENT FROM THE ALLOTMENT BY THE YEAR 2014-15 TO 2016-17, FURNISH THE REASON.*
4. *HOW MUCH OF THE REMAINING FUNDS BY EACH DEPARTMENT CREDITED IN TO THE MINOR HEADS OF ACCOUNT 789 AND 796 UNDER STATEMENT 21 AND 21A FROM THE YEAR 2014-15 TO 2016-17?*
5. *HOW MUCH OF FUNDS DIVERSIFIED TO OTHER PROJECTS BY EACH DEPARTMENT FROM THE YEAR 2014-15 TO 2016-17 AND FURNISH THE REASON FOR DIVERSIFIED.*
6. *FURNISH THE REASON FOR NOT ALLOTTED OF FUNDS TO SOME OF THE ABOVE SAID DEPARTMENTS IN THE YEAR 2014-15 TO 2016-17.*

(ii) *Mode of supply of information sought* : *to be supplied in the form of C.D. in case the information sought is voluminous*

(iii) *Whether inspection of records also sought.* : *Yes, if so warranted by us*

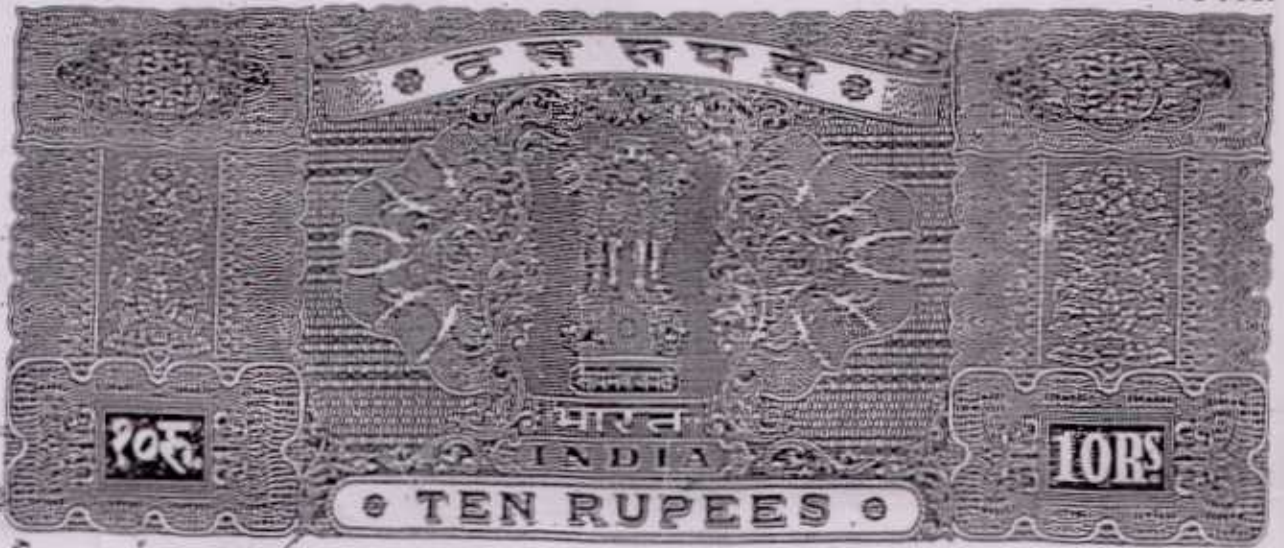
(iv) *Mode of Payment* : Court Fee
 I.P.O. No. 35F 308689
 Demand Draft

DECLARATION OF THE APPLICANT

- (i) *I am a bona fide citizen of Indian and owe allegiance to the sovereignty, unity and integrity of India and have not voluntarily acquired the citizenship of another country.*
- (ii) *The information given by me in this form is true and I am solely responsible for its accuracy.*

Place: Chennai – 600 039
Date : 29.09.2016


(M. ATHIKESAVAN)



1998
17 7 200

All India Bharat Ratna
Dr. Ambedkar
SC & ST
Welfare Federation

CHENNAI CENTRAL
HIGH COURT BUILDING,
CHENNAI-600 001.

பொது நலம் -

(See rule 8 of the Tamil Nadu Societies Registration Rules 1978)

Certificate of Registration Under Section 10 of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act, 27 of 1975)

CERTIFICATE OF REGISTRATION OF SOCIETIES

S. No. 142 of 1998

I hereby certify that All India Bharat Ratna Dr. Ambedkar SC & ST Welfare Federation has this day been registered under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act, 27 of 1975)

Given under my hand at Chennai Central this second day of June 1998

(sd)

Signature of the Registrar
Station : CHENNAI CENTRAL

சென்னை மத்திய நீதிமன்றப் பதிவகம்
பொது நலம்
பதிவு செய்து

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இந்திய தேர்தல் ஆணையம்
வாக்காளர் அடையாள அட்டை

ELECTION COMMISSION OF INDIA
IDENTITY CARD

FBC6010474



வாக்காளர் பெயர் : ஆதிகேசவன்

Elector's Name : Athikesavan

தகப்பனார் பெயர் : முத்துகிருஷ்ணன்

Father's Name : Muthukrishnan

பாலினம் / Sex : ஆண் / Male

பிறந்த தேதி / Date of Birth: 20/11/1953

முகவரி: 11

FBC6010474

கிழக்கு ஆவின்டு எம் கே பி நகர்
வியாசபாடி
சென்னை - 600039

Address : 11

East Avenue M K B Nagar
Vyasapadi
Chennai - 600039

திகதி / Date : 23/12/2009

வாக்காளர் பதிவு அதிகாரியின்
கைப்பெயர் முத்திரை
012 - பெரம்பூர்
சட்டமன்ற தொகுதி
Facsimile Signature of
Electoral Registration Officer
012 - Perambur
Assembly Constituency

முக்கிய செய்தி
பதிவு செய்துள்ள
உள்ளே உள்ள
காட்டுகிறது
your name is
and to obtain the same number



GUIDELINES/STANDING INSTRUCTIONS/SYNOPSIS AS PER C.I.C.

1. PROVIDE INFORMATION TO OFFICE BEARERS / (ASSOCIATION / ORGANIZATION / NGO) / REF: No.139/ICPB/2006 dt.25.10.2005:

Information should not be denied quoting section 3 since office bearer of Corporation, Association, Company, NGO etc. who is also a citizen of India, information shall be supplied to him/her, provided the applicant gives his/her full name. In such cases, it will be presumed that a citizen has sought information at the address of the Corporation etc. Hence it has been decided that even if information is sought by an office bearer of an Association/Union, the same should be treated as valid in terms of provisions of the RTI Act vide letter No.139/ICPB/2006 dt.25.10.2005.

2. TRANSFER OF INTIMATION WITHIN THE TIME BOUND. REF: SEC. 6(3) OF THE RTI ACT, 2005:

As per section 6 (3) of the RTI Act 2005, in case the information sought does not come under the purview of the public authority the same should be transferred to the appropriate public authority and to be intimated to the applicant immediately about such transfers. Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

3. REFUSAL OF REQUEST & NOT RESPONDING IS LIABLE TO ATTRACT PUNISHMENT: REF: SEC. 7(2) & 20(1) OF RTI ACT, 2005: As per section 7 (2) of the Act, if the PIO fails to give decision of the request for information within the specified period of thirty days under sub-section (1), shall be deemed to have refused the request.

4. VERNACULAR AS PER PETITIONER'S REQUEST: REF: 4(4) OF RTI ACT, 2005:

It requires providing information to the citizens in the language they know best. However, under section 4 (4), accordingly English Version is preferred.

5. DENIAL OF INFORMATION ON GROUNDS OF LACK OF MAN POWER IS NOT PERMISSIBLE: REF: SEC.5 OF RTI ACT, 2005:

As per section 5 every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.

6. DENIAL OF INFORMATION MERELY QUOTING THE BARE CLAUSE OF THE ACT IS NOT PERMISSIBLE: REF: SEC.7(8) (1): of the Act [section 7 (8) (i)]:

Merely quoting the bare clause of the Act [section 7 (8) (i)] does not imply that the reasons have been given. PIO should indicate clearly the grounds of seeking exemptions from disclosure of information while rejecting a request vide letter 27/IC(A)/06, dated 10.04.2006.

7. PENALTY & DEPARTMENTAL ACTION FOR MALAFIDE DENIAL AND DELAY IN REPLY: REF: SEC.20(1) OF RTI ACT, 2005:

Malafide denial of information sought is liable to attract penalty of Rs.250/- from the date of application till the date of information provided and disciplinary action by the department as per section 20 (1).

8. INFORMATION SOUGHT ON NUMBER OF POINTS IS STATUTORY, MANDATORY AND LEGITIMATE: REF: (AMAR SINGH DAHIYA VS. FOOD CORPORATION OF INDIA DT.04.02.2008, CIC DIGEST (VOL. II) PG.2732::

- a) Information sought by the applicant in one application under the RTI Act has to be provided, if application fee of Rs.10/- has been paid, irrespective of the number of points, on which information have been sought by the information seeker (*Amar Singh Dahiya vs Food Corporation of India dt.04.02.2008, CIC Digest (Vol.II) pg. 2732*).

b) DECISSION:

The respondent has wrongly asked the appellant to pay Rs.10/- as fee for each of the items for which information was sought by the appellant. There is no proviso in the rules for such a demand.

9. INFORMATION TO BE PROVIDED IF RELATES TO 100 YEARS: REF: (SUKUMAR DE VS. HINDUSTAN STEEL WORKS CONSTRUCTION LTD. DT.12.02.2008, CIC DIGEST VOL.II, PG.2048) & O.P.SINGHAL VS. DEPUTY COMMISSIONER, CIVIL LINES, MUNICIPAL CORPORATION OF DELHI, DT.17.09.2007, CIC DIGEST VOL.II, PG.1807:

- a) The denial of information merely on the ground that the action relates to more than 20 years is not acceptable (Sukumar De vs Hindustan Steelworks Construction Ltd. dt.12.02.2008, CIC Digest Vol.II page 2048).
- b) Appellant has stated that after 20 years such information cannot be denied (*A.Vatsraj Vs. State Bank of India dt.19.06.2007, CIC Digest Vol.II page 1568*).
- c) If the information is more than 20 years old, it is not excluded, but mandated to be provided (*O.P.Singhal Vs. Deputy Commissioner, Civil Lines, Municipal Corporation of Delhi dt.17.09.2007, CIC Digest Vol.II page 1807*).
- d) Although the information asked for ranges over 100 years and relates to railway bridges throughout the country, the Commission directs to furnish the information in part as to whatever is presently available, since the issue is an important one relating to safety, the Commission feels that it should be compiled and provided to the Complainant keeping technologies in mind (*Salim Baig Vs. Railway Board dt.20.12.2007, CIC Digest Vol.II page 1952*).

10. INFORMATION TO BE PROVIDED FREE OF COST IF IT EXCEEDS THE TIME LIMIT: REF: SEC.7(6) OF RTI ACT, 2005:

Section 7 (6) "Notwithstanding anything contained in section 7(5), the person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in subsection (1) of section 7".

11. INFORMATION TO BE PROVIDED WITHIN 48 HOURS: REF:SEC.7(6) OF RTI ACT, 2005:

As per section 7(1) of the Act, where information sought for concerns the life and liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.

12. VOLUMINOUS INFORMATION TO BE PROVIDED IN THE FORM OF C.D.: REF:S REF: SEC.4(a) OF RTI ACT, 2005:

Where the information sought is voluminous, it is to be provided in the form of C.D.. Also to state that as per section 4(a) of the Act it is mandatory to "maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized and connected through a network all over the Country on different systems so that access to such records is facilitated".

13. INFORMATION SHALL BE PROVIDED IN THE SOUGHT FORM: REF:SEC.7(9) OF RTI ACT, 2005:


As per section 7(9) of the Act, "An information shall ordinarily be provided in the form which it is sought, unless it would disproportionately divert the resources of the Public Authority or would be detrimental to the safety or preservation of the record in question". Hence it is mandatory of the public authority to provide the information sought in any available form and merely quoting this section and denial of information on grounds that it is not available in the sought form is not sustainable.

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
TRANSPORT BHAVAN, 1 PARLIAMENT STREET
NEW DELHI - 110001

4647
Receipt No.

6/10/16
Dated.....

Received RTI Application dated.....
from Sh. Smt. / Mr. M. Athikesavan.....
along with application fee of Rs. 10/- (Rupees Ten
Only) / Fee of Rs. (Rupees
only) for providing information under RTI Act 2005 in
Cash / Demand Draft / Cheque / IPO No. 35F 308689
Dated



Signature / Receipt Official (IFC)