

Complaint under Section-18 of Right to Information Act.2005

Complaint No. RTI Crimes /2016/C.No.1351
Office of Chief Information Commission
New Administrative Building13
Floor,opp.Mantralaya,Mumbai-32
Dated 17/10/2016

Shri Shailesh Gandhi
B-2Gokul Apartment Poddar Road
Santacruz (W) Mumbai -400054

-- Complainant

Chief Secretary, Govt of Maharashtra
Mantralya, Mumbai -400032

-- Respondents

Additional Chief Secretary, Home,
Govt of Maharashtra, Mantralya, Mumbai 400032

Commissioner of Police--
Office Of Police Commissioner, Fort, Mumbai.1

Commissioner of BMC
Greater Mumbai Municipal Corporation
Opposite Chhatrapati Shivaji Terminus Area, Fort, Mumbai,
Maharashtra 400001

Additional Chief Secretary,
General Administrative Deptt., Maharashtra State
Mantralya, Mumbai-400032

Shri Shailesh Gandhi, Complainant has filed following complaint with the Commission under Section 18 of RTI Act, 2005 on a very serious and important issue needing urgent attention of Public Authorities --

"Mr. Bhupendra Vira a 72 year old RTI activist from Kalina has been murdered in a violent manner. The culprits have shot him down in cold

blood at his house. This is despicable and i request the commission to treat this as a complaint under Section -18. This continued violence against RTI activists must be stopped. I am hoping you will take the following action:

1. Request the Police department to enquire into this murder and arrest the culprits immediately.
2. Order public authorities where Mr. Vira's RTI applications are pending to immediately release all the information which he must have sought in RTI. He had been filing RTI applications to uncover illegal encroachments from BMC, SRA and Lokayukta.
3. Direct the police department to provide security to his family.
4. Any other relief you can offer. "

Considering circumstances mentioned in the above complaint, request of Shri Shailesh Gandhi to treat his complaint under Section 18 of RTI Act is accepted.

It is extremely serious,sad and unfortunate that RTI Activists who play a very important role in ensuring effective implementation of RTI Act, have to face violence, intimidation and resistance from unscrupulous and corrupt elements in the society and it is the duty of Government and Public Authorities to ensure full protection and safety of RTI Activists to support transparency and accountability in the working of public authorities. The gruesome murder of Mr Bhupendra Vira needs therefore to be probed on top priority and guilty be punished without loss of time so as to send right message to anti social and corrupt and criminal elements. It is also necessary to put in public domain information which Mr Bhupendra Vira had sought during last one year forthwith by all Public Authorities in Mumbai especially Brihan Mumbai Municipal Corporation (BMC). I therefore in exercise of powers vested in me under Section 19(8)(a) of RTI Act, order that –

- 1) Chief Secretary, Govt of Maharashtra, Additional Chief Secretary (Home) and Commissioner,Police shall immediately conduct thorough probe into the murder of Mr Bhupendra Vira and take the investigations to logical conclusion urgently
- 2) Municipal Commissioner,BMC shall review all pending applications filed with various PIOs in BMC by Mr Bhupendra Vira during last one year and ensure that information sought is put on the website of BMC

before 31 st October,2016 without fail.

3) Additional Chief Secretary,GAD is directed to review pending RTI applications filed by Mr Bhupendra Vira during last one year with various public authorities other than BMC and ensure that information sought is put on the website of Government before 31 st October,2016 without fail.

ORDER

Complaint stands disposed off.



(Ratnakar Gaikwad)
Chief Information Commissioner,
Maharashtra

