

Release of letter by CEC to President

3303. DR. K. MALAISAMY: Will the Minister of LAW AND JUSTICE be pleased to state the background for releasing the letter of the then Chief Election Commissioner (CEC) to the President seeking removal of fellow Election Commissioner, while the Rashtrapati Bhawan declined to make the document public?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): An application dated 13th March, 2009, under the Right to Information Act, 2005 (No. 22 of 2005), seeking certain information including a copy of the letter of the then Chief Election Commissioner addressed to the President seeking removal of his fellow Election Commissioner, was received in the Legislative Department of the Ministry of Law and Justice.

The said application was examined in the Legislative Department and the applicant was informed as under:—

As regards the information sought by the applicant at sub-para (I), (II), (III), (IV) and (V) of para (1) of his RTI application dated 13.03.2009, it is submitted that documents referred to in these sub-paragraphs being third party information under section 11 of the RTI Act, 2005 cannot be made available and such documents are confidential and tendered in fiduciary relationship; hence the same is exempt under clause (e) of sub-section (1) of section 8 of the said Act.

On being aggrieved by the aforesaid reply, the applicant filed his first appeal dated 28th April, 2009 to the Appellate Authority in the Legislative Department citing various judgements of the Central Information Commission. The matter was reconsidered and revisited in the Legislative Department. The Appellate Authority also considered the appeal and in its order dated 26th May, 2009 directed that the Central Public Information Officer of the Legislative Department may reconsider the request of the appellant on the basis of the material given by the appellant in his appeal and he may obtain direction/approval of the competent authority *i.e.* Secretary in the matter within seven days. Thereafter, the appeal will be further heard on merits. However, the appellant was provided with the documents.

Gram Nyayalayas

3304. SHRI VIJAYKUMAR RUPANI: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government is going to establish Gram Nyayalayas at the panchayat level to clear backlog of cases;
- (b) if so, the details of theme of the scheme; and
- (c) how can it maintain its infrastructure and human resources?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) As per the provisions of Section 3 of the Gram Nyayalayas Act, 2008, it is for the State Governments to establish Gram Nyayalayas in consultation with the respective High Courts.