Date: 9.2.24 / 23.1.24

27/ SR. PI marine Drive/ **reminder for police protection** during First appeal hearing/ Prosecution Porwal – Jawale 16.6.23 folder and file

From

Kamlakar Shenoy **(Alert senior citizen aged 66 years)**

Mob: 9870987359.

To,

Sr. PI Marine Drive police station

Cc

DCP zone 1

Addl CP south region

All Information Commissioners

Respected sirs,

 **NEED POLICE PROTECTION WHILE VIDEO RECORDING AND APPEARING FOR FIRST APPEAL BEFORE FIRST APPELLATE AUTHORITY OF STATE CHIEF INFORMATION COMMISIONER, ON 13TH FLOOR ADM BUILDING, OPP. MANTRALAYA, MUMBAI.**

**THE PIO AND FAA ARE BOTH LADIES.**

Kindly refer to my **letter dt. 23.1.24 wherein I have sought police protection when I shall be attending the First appeal hearing which are conducted by two ladies**. I had anticipated wild allegation by these ladies against me. Hence as abundant precaution I had filed an application for protection against these two ladies.

However, your office has not replied thereby **exposing me a senior citizen aged 66 years to humiliation, insult and implication in false complaints/ cases.**

Today I am in receipt of the letter dt. 29.1.23 posted on 6.2.24 and received by me on 8.2.24. ( copy attached along with video recording of hearing.)

I humbly submit as under:

**Details of violations and disobedience committed by PIO and FAA**

1. The PIO and FAA with dishonest intentions and ulterior motives as it shall expose the corrupt practices in the office State Chief Information Commissioner, and create evidence for criminal prosecution against these two ladies as well as all the State Chief Information Co0mmisioners, have failed to comply with directions of section of
2. RTI section 4(1)(b)(ii),(iii),(iv),(v),(xiv) (C )(d)
3. **RTI section 7(8)(i):** PIO shall provide reasons for denial of information. Not only the grounds.
4. **RTI section 19(5):** PIO written submission on the appeal to be provided to the appellant.
5. **RTI section 8 J** : provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

**Section 4 (b)(i)(d) RTI act: provide reasons for its administrative or Quasi-Judicial decisions to affected persons.**

1. In the appeal memo I have asked for procedure followed to come to conclusion, clarification and reasoning to deny the video recording. **(Section 4(1)(b)(ii),(iii),(iv),(v),(xiv) (C )(d) and section 7(8)(i) RTI act.**
2. However, no reasoning and explanation is provided. This killing of RTI act spirit and purpose.

**Now I shall deal with the false allegation levelled in letter dt. 29.1.24 which is the intimation of the first appeal to be held on 15.2.24 at 12.30 noon.**

1. **Allegations no. 1** : Mr. Shenoy and his associates are regularly forcing video recording during the hearing of first appeal. PIO and FAA are both ladies. Hence, misuse of the video recording cannot be denied.

**My Submission:**

1. FAA has made incorrect submission that I insist upon video recording. In fact, I have video recorded the hearing and have posted in Tweeter, face Book and also sent mail to the PIO and FAA as well as all Information Commissioner. However, no complaints were made about misuse of the video recording till today.
2. I have been exercising my legal right to video record the meeting and proceedings conducted with public servants. Hence, exercising his right by any citizen cannot be objected by ay public servant. Nor does it amount to obstruction in discharge of duty by any citizen. **( refer Judgement of J & K High Court CRMC 100 of 2016 )**
3. **I have had very cordial relationship with PIO Smt Shilpa Deshmukh and she calls me her brother**. Hence, the motive and intention of video recording is pure and honest.
4. **Allegation no. 2**: Shenoy has been regularly filing RTI application and appeals and filing police complaints against State Chief Information Commissioner, State information commissioners, First Appellate authority ( FAA) and public information Officers ( PIO). Further he objects and is filing complaints against all orders passed and working of the Commission. Filing of police complaints is affecting the physical and mental health.

**My submission**:

 The FAA has not explained how

1. can filing RTI applications and appeals filed be illegal.
2. Objections raised against illegal orders and illegal activities of the staff of office of State Information Commissioner be illegal.
3. Can exercising the right by citizen affect a law abiding citizen.
4. Can exposing of illegal activities of the office of State Chief Information commission affect the mental and physical health of staff.
5. How is the mental and physical health of the staff connected to the legal complaints filed by following due process of law.
6. **Allegation no. 3;** Regular complaints to police station is creating a situation of terrorism in the office. Hence, requested to give protection

**My submission**

1. How can filing of police complaint in cognizable offences committed by the staff of Information Commissioner office be called act of terrorism.
2. **Refer Article 51 of the constitution** **citizen has duty to expose corruption of senior public servants):**  the Hon. Delhi High Court in their judgment in Aniruddh Bahal v/s State of Delhi has cleared stated that it is duty of citizen to expose higher level public servants who are corrupt.
3. Shenoy has filed complaint against the office order dt. 20.10.23 denying any citizen right to video record. However, Mr. Shenoy has filed complaint against this order.

**My submission:**

1. **Refer Karnataka HC order dt. 23.8.22 W.P. 16625 of 2022, no grievances can be kept pending indefinitely:** I have issued show cause notice dt. 13.11.23 to all the above staff for passing illegal direction. However, the grievances are kept pending indefinitely. **Violation of regulation 10 of delay in discharge of duty act 2005.**
2. **AIR 2013 SC 1834 2013 and AIR SCW 1578:** Getting information is fundamental right of every citizen.
3. **Article 51 A:** duty of citizens being good citizens is the best contribution for development of nation (Madras High Court).
4. Filing of complaint and initiating prosecution against illegal acts is right of every alert citizen
5. **Refer Bombay High order I W.P. 4181 of 2018 by Justice Sunil Shukre and Justice M.M.Sathaye:** filing of complaint and raising issues for bonafide clause cannot be said to cause obstruction to discharge of duty.
6. I repeat that video recording of meeting and proceeding is right of every citizen. I have explained how the direction u/s 15(4) RTI act is illegal act as the Information commissioner cannot be legislatures to pass and amend new laws. Hence my complaint for registering FIR. Marine drive police have failed and is liable for prosecution u/s 166 (a)(b) IPC.

1. **In the above circumstances, I being a senior citizen aged 66 years request that I shall be given police protection during the proceeding f hearing to be held on 15.1.2.24 around 12.30 noon. In the event, if I die or get a heart attack due to some mischief played by the two ladies Sr. PI, ACP and DCP shall be held responsible for not giving protection to a citizen who is exercising his right and have intimated the police of the dishonest intention of the two ladies** **to file false complaints to protect themselves from being prosecuted for illegal acts. In my letter dt. 23.1.24 I have attached all citations and circulars which discloses that video recording is right of the citizen.**
2. **Please educate me my submission is incorrect.**

**Jai hind**

**Kindly see the video in proceeding with PIO and FAA. And let me know any indecent speech and act in the video where any of us has misbehaved or can misuse the video recording, especially when the video has been recorded in presence of ladies who are well educated and coming for good family.**

**If the FAA and PIO needs any citations and are incapable to get the citations, they can revert back and ask for citations.**