

Every year in India 45000 kids go.....



You and Right to Information can help find them

## Table of Contents

Context of this RTI intervention.....	3
How to use this RTI guide .....	4
Step 1: Understanding the Police Department.....	5
Step2: Filing an RTI application requesting for information on missing kids.....	6
Step 3: Filing a complaint in case of unsatisfactory response.....	8
STEP 4: Handling your complaint.....	10
STEP 5: How to use the Information you receive.....	11
Chief Information Commissioners of States.....	12
Letter of recommendation for effective police officers .....	16



## **Context of this RTI intervention**

In Nithari village in the in the first week of the new year of 2007 some 15 dismembered corpses of children were located from the house of a prominent businessman in Noida U.P. India. Apparently the businessman along with his servant would abduct children/.minors from poor families rape and murder them. Theories being suggested include that the business man might have been part of an organ trafficking racket.

The truth is that in India almost 45000 children are reported missing every year. Many of these children are trafficked, raped, murdered or even worse. In many cases as was in Nithari the police refused to even file FIR (First Information Reports) so that formal investigation can be started. Sometimes investigation can go for several years with out the child being located.

The attempt of this RTI intervention is to assess the situation with regard to complaints received and status of FIR (First Information Reports) by filing Right to Information applications with the Police Department and highlight and locate any lacunae in the investigation work and shame /force/reward to get the police to satisfactorily conduct its duties in this critical issue.



## How to use this RTI guide

This RTI guide requires the user to be reasonably familiar with the power of the Act. Those desirous of more information on RTI can visit [www.sakshitrust.org](http://www.sakshitrust.org) or the several government and NGO websites on the Internet.

This guide is developed specifically to address the issue of missing children in a district of the user's choice. For best use of the guide the user is requested to locate the address of the Superintendent of Police (SP) of the district in contention and of the Inspector General of Police (IGP) of the state. Check the rules on RTI especially those with regard to payment of application fees for requesting information under RTI. You can check the rules of your state here <http://www.sakshitrust.org/rti-act-and-rules/36.html>

The guide expects the user to follow the steps given and the instruction given in each step for best results. For any queries/ doubts please write in to [enquiry@sakshitrust.org](mailto:enquiry@sakshitrust.org).

### **Disclaimer**

***The above guide is prepared only to assist citizens in using the Right To Information Act 2005. This should not be taken as an alternative to the Act. Readers are advised to consult the Right to Information act 2005 before taking any action based on this guide.***



## Step 1: Understanding the Police Department

Send an application for the suo moto declaration of Superintendent of Police's office in your district. The purpose of this step is to understand the organizational duties/ powers of the several officers and locate the Public Information officer with whom your requests for information are to be filed. It might also give you insights into the overall budgets and working rules of the department.

[Date]

To  
Superintendent of Police  
[name of district] District  
[name of state] State

**Application for requesting the voluntary declaration under sec 4(1)(b) of the Right to Information Act 2005**

Kindly provide me the voluntary declaration of your department as specified under the Right to Information Act 2005.

S/d-  
[Name]  
[Address]

This letter can be sent by registered post (RPAD) from any Post office or physically delivered to the SP office. Please remember to keep an acknowledged copy/ Acknowledgement card of RPAD delivery along with copy of letter with you for future escalation. Please do not submit your letter if application is not acknowledged when delivering physically.

In case of any issues e.g. not getting a response, being refused submission/acknowledgement please use the complaint form given in STEP 3 and submit it to the relevant State Information Commission. On receipt of a satisfactory response proceed to STEP 2



## Step 2: Filing an RTI application requesting for information on missing kids

File an RTI application with your district police asking the full list of complaints received in past two years with regard to all minors in your area. Sometimes merely the revelation of such information can give speed to the investigation process for fear of gross negligence being exposed.

-----

To  
 Public Information Officer  
 Superintendent of Police  
 [name of district] District  
 [Name of State] State

Sub.: Application under Right to Information Act 2005 section 6(1)

With reference to complaints with regard to missing children in [ name of district] district. Please provide me a list with the following information under RTI Act, 2005:

Name of missing minor	Age of minor at time of complaint	Parent/guardians name	Photo available yes /no	Date of complaint	Date of registration of FIR	Name of investigating officer	Investigation report filed. If so date of report	Investigation under way	Child Located (Y/N)



--	--	--	--	--	--	--	--	--	--

Also provide a summary of the above list under the following heads

1. How many complaints were received in last two years about missing children(below 18 years old)?
2. In how many of these cases, Police has taken cognisance and filed First Information Report (FIR) on them? Please provide a copy of all such FIRs.

Place

Date

Signature

I have attached IPO/ court fee stamp of R.10/ with the application as fees.

\*\*\*\*\*

Your RTI application can be sent by registered post (RPAD) from any Post office or physically delivered to the SP office. Please remember to keep an acknowledged copy/ Acknowledgement card of RPAD delivery along with copy of letter with you for future escalation. Please do not submit your application if it is not acknowledged when delivering physically.

Please check the payment rules for application fees before submitting the application at <http://www.sakshitrust.org/rti-act-and-rules/36.html>

In case of any issues e.g. not getting a response within 30 days, being refused submission/acknowledgement please use the complaint form given in STEP 3 and submit it to the relevant State Information Commission. If on receipt of a satisfactory response proceed to [STEP 5](#)



### Step 3: Filing a complaint in case of unsatisfactory response

In case you do not receive a response to your request for the suo moto declaration or you do not get a response to your request for information in STEP 2 in 30 days please use the format given below to file you complaint under the RTI Act 2005 with you State Information Commision.

Date

To the  
Chief Information Commissioner  
(for address see [list of state information commissioners](#))

**Sub: Complaint under section 18 of the right to information Act**

I [your name] have ( Please choose one)

Requested for the voluntary declaration under sec 4(1)(b) for the [name of department] under the Right to information Act 2005 vide letter dated (copy of letter attached) but the PIO/department has (please tick)

- Refused to accept the application
- Refused to provide the information
- Other (please specify)

Please proceed against the department/ PIO under section 18 of the right to information Act 2005 and provide me redress

I [your name] have applied under the right to Information Act 2005 section 6(1) as per the copy attached date [dd-mm-yyyy] however the PIO/department

- Has refused to provide me the above information even XX days after submission of the application
- Has refused to accept the application
- Has refused to identify /appoint a PIO



SAKSHI TRUST



www.sakshitrust.org

- PIO is missing
- Has misguided the applicant by (Specify \_\_\_\_\_)
- Is asking unreasonable fees of Rs.\_\_\_\_ for \_\_\_\_\_ no. of pages/CDs/Samples
- Others (Please Specify)\_\_\_\_\_

Please issue summons to HOD/PIO and provide me redress

Your sincerely

[s/d-]

[your name]

[address]

Remember to keep a acknowledged copy of you complaint with you for further follow up if required. You can send your complaint through RPAD to the concerned State Information Commission



## **STEP 4: Handling your complaint at the Information Commission (IC)**

On filing your complaint you will receive date of hearing of your complaint or specific instruction to the PIO for giving the requested information. Ideally you could personally attend the hearing and appeal for maximum penalty under the Act against the PIO or alternatively follow up on your case on the IC's website.

After the IC's hearing you should receive information as per the instruction of the IC if the same still does not happen then intimate the IC using complaint letter format given in [Step 3](#).  
On receipt of information proceed to [Step 5](#).



## STEP 5: How to use the Information you receive

On receipt of information you can do the following

1. Request for information on Annual confidential report filed by superior office on incompetent officers and scrutinize the comments made with regard to the functioning of any incompetent officers. Bring issue to the notice of the IGP, home ministry regarding the lack of action being taken on these cases. Follow up with a RTI application asking for the Action Taken Report (ATR) on your complaint.
2. Provide the received information to the press
3. File a PIL (Public Interest Litigation) in court asking the court to take cognizance for the gross negligence of the police department and the concerned officers on this issue
4. Write to the NCW at the following address  
National Commission of Women  
4, Deen Dayal Upadhyaya Marg,  
New Delhi -110 002.  
Requesting them to conduct an enquiry into the reasons for the inordinate delay and incompetence of the investigating officer
5. If the information reveals that any particular office has been prompt in taking action and locating the child consistently then recommend him/her to the IGP of the state using [recommendation letter format](#).



## Chief Information Commissioners of States

State	Name	Address	Phone	Email/website
<a href="#">Andhra Pradesh</a>	Shri. C D Arha	AP Secretariat Hyderabad - 500022	Off: +91-40 - 23452620	<a href="http://www.scic.ap.gov.in">http://www.scic.ap.gov.in</a>
<a href="#">Chattisgarh</a>	Shri. A K Vijayavargiya	Nirmal Chhaya Bhavan Meera Datar Road Shankar Nagar Raipur - 492 001	Office: 0771-4024406 0771-4024140(Fax) Resi: 0771-2331012	<a href="mailto:akvijayvargiya@nic.in">akvijayvargiya@nic.in</a>  <a href="http://www.cg.nic.in/sic">http://www.cg.nic.in/sic</a>
<a href="#">Goa</a>	Shri. A Venkatratnam	Shrama Shakthi Bhavan, Ground Floor, Patto Panaji, GOA. Pin 403 401	Office : 0832-2413774 Mobile : 09860287282	<a href="mailto:avr@nic.in">avr@nic.in</a>  <a href="http://egov.goa.nic.in/rtipublic/sic.aspx">http://egov.goa.nic.in/rtipublic/sic.aspx</a>
Gujarat	Dr. P.K. Das	1st Floor, Bureau of Economics & Statistics Building, Sector-18, Gandhinagar-382018, Gujarat	Office: 079- 23252701 Secretary: 079- 23252966 Resi: 079-23230993	<a href="mailto:gscic@gujarat.gov.in">gscic@gujarat.gov.in</a>
Haryana	Shri. G Madhavan	Chief Information Commissioner State Information Commission Haryana SCO No. 70-71 Sector 8C, Madhya Marg, Chandigarh	Office: 0172- 2726568  (Tele-Fax) Resi: 0172-2793628	<a href="mailto:madhawang@hry.nic.in">madhawang@hry.nic.in</a>
Himachal Pradesh	Shri P.S. Rana	Room No.222,Armsdale Building HP Secretariat	Office: 0177-2621904 2880726	



		Shimla-171 002	Resi : 0177-2812236 2652538	
<a href="#">Karnataka</a>	Shri. K K Misra	3rd floor, 3rd Stage, Multistoried Buildings Dr.Ambedkar Road, Bangalore- 560 001. Ph.No.080-22371191	Off :+91-80 - 22371191 Fax:+91-80 - 22371192	<a href="mailto:scic@karnataka.gov.in">scic@karnataka.gov.in</a>  <a href="http://www.kic.gov.in">http://www.kic.gov.in</a>
Kerala	Shri. Palatt Mohandas	The Secretary Kerala State Information Commission Punnen Road Thiruvananthapuram - 695039 Kerala, India	Phone : 0471 - 2320920 Fax : 0471 – 2330920  Off: +91-471 - 2333147	
<a href="#">Madhya Pradesh</a>	Shri. T N Shrivastava	Nirwachan Bhawan, Second Floor, 58, Arera Hills Bhopal - 462 011	Off: +91-755 - 2761367 Mobile: 9425365434	<a href="http://www.mpsic.nic.in">http://www.mpsic.nic.in</a>
Maharashtra	Shri. Suresh Vinayakrao Joshi	15th Floor, New Administrative Building, Madame Cama Road, Opposite Mantralaya, Mumbai – 400 0032	Res: +91- 22 - 22022859 Off: +91-22 - 22856078 Mobile: +91-98215 25427	
Meghalaya	Shri. G P Wahlang	Meghalaya Secretariat, Shillong - 1	Off: +91-64 - 2226102	<a href="mailto:gpw@shillong.meg.nic.in">gpw@shillong.meg.nic.in</a>
Mizoram	Shri. Robert Hrangdawla		Off: 2334833 Res:2316001 Mobile: 9436140247	



<a href="#">Orissa</a>	Shri. Dhirendra Nath Padhi	Orissa Soochna Commission, (Secretary), State Guest House Annexe, Room No. 44, Unit 5, Bhubaneshwar 751001	Off: 91-674 - 2534300	hon_scic@ori.nic.in  <a href="http://orissasoochanacommission.nic.in">http://orissasoochanacommission.nic.in</a>
<a href="#">Punjab</a>	Shri. Rajan Kashyap	131 Sector-10 Chandigarh - 160011	Off: +91-172- 2740543 Off Fax: +91-172- 2740543 Res Fax: +91-172- 2740353	<a href="http://www.infocommpunjab.com">http://www.infocommpunjab.com</a>
<a href="#">Tamil Nadu</a>	Shri. S Ramakrishnan	No.89,Dr Alagappa Road, Purasaiwalkam Chennai 600084		<a href="http://www.tn.gov.in/rti/sic.htm">http://www.tn.gov.in/rti/sic.htm</a>
Tripura	Shri. B K Chakraborty	Civil Secretariat, Agartala West Tripura - 799001	Off: +91-381 - 2218021 Mobile : +91- 9436120039	scic-tic-tr@nic.in
Uttaranchal	Shri. R S Tolia	4 Subhash Road, 4th Floor Dehradun - 248001	Off: +91-135- 2712100  2712200 2712079 Fax 2666779	
Uttar Pradesh	Justice Shri. Mohd Asgar Khan	6th Floor, Indira Bhawan, Ashok Marg Lucknow - 226001	Off : 0522-2288598, 0522-2235798, Telefax : 0522- 2288600	
West Bengal	Mr.Arun Bhattacharya	Writers Building, Kolkata - 700001	Off: +91-33 - 22215858	

SAKSHI TRUST



[www.sakshitrust.org](http://www.sakshitrust.org)

Note:-

1. The above list has been prepared on the basis of information collected from various sources.
2. All State Governments have been requested to provide the Central Information Commission the details of Chief Information Commissioner and Information Commissioners of their respective State Information Commission.
3. Central Information Commission requests to keep it informed of any changes in the above list.



## Letter of recommendation for effective police officers

[date]

To the Inspector General of Police  
[name of state] state

**Sub: Recommendation for officer [name of officer]**

Dear Sir,

Under the Right to information Act I had requested for information with regard to missing children in [name of district] district (copy attached). I would like to bring to your particular notice the achievements of officer [name of officer]

I would like to commend the work undertaken by [name and designation of officer] in this regard and request that that same be highlighted in his/her service record.

Your sincerely

s/d-  
name  
address