

Details of Appeal/Decision of First Appellate Authority for the period April 2018 to March 2019 under RTI Act 2005:

Sl. No.	ID No.	Ground of Appeal	Decision of First Appellate Authority/remarks
1.	ITPO/RTI/Appeal/06/04/2018	<p>i. Notings of file further to page 458 have been denied. It is pertinent to mention that when an application was sent to you on 16.12.1015, in the capacity as Dy.PIO, you had allowed and sent me certified copies of all the notings. Now I hope nothing is being hidden now as I have not inspected the file in good faith & am going on the word of the Dy.PIO. But how can it be possible that there are no more notings when I understand Finance & Accounts Division had referred my case for LIC Pension when Admn. Division in Oct, 2017 had officially sent me the relevant Circular (through ITPO Chennai office, form where I had superannuated as GM) & accordingly I had applied too. So it requested to please ensure that all information as asked for is supplied to me.</p> <p>iv. So far as supply of information under this para is concerned; truncated information has been sent after severing names, signatures & designations of officials concerned, Earlier on various occasions, i.e. since the inception of RTI Act in 2005 from time to time full information by various CPIO/ Dy.PIOs including your good-self (as Dy. CVO/Alt.Dy. PIO) have been supplied to me, even from various files of the Vigilance Section, Administration Division, Finance & Accounts Division & various other Divisions of ITPO. Then why and how information in truncated from (after severing names etc.,) has been supplied to me now? In one office, same analogy must apply all the time. Thus it is requested that full information be kindly supplied to me.</p> <p>v. Here I had requested for information i.e. copies of notings and related correspondence of all concerned files of the Finance & Accts. Division, Administration Division & Vigilance Division wherein my case of LIC Pension has been dealt with. While no information as asked for has been supplied and instead I am informed that amount of Rs. 5000/- paid by me in October 2017 (as demanded by office) is being paid back to me by cheque. After all I Have full right to know the reasons for rejection in the era of transparency and correct picture will emerge after viewing the full notings of concerned files of Finance Admn. and Vigilance Division. My money deposited in October 2017 is being returned to me now in July 2018 i.e. after 09 months; and that too without paying any interest on my amount (which I have lost due to laxity</p>	<p>The First Appellate Authority, ITPO after having perused the RTI Application, Information furnished by PIO/DPIO, ITPO and first Appeal of the applicant/appellant observed and ruled that the following information/documents may be provided to the applicant:</p> <p>i) Photocopy of the last page i.e. page no. 458 of the personal file of ex-GM(Sh. N.K. Sethi) has already been provided. There are no subsequent pages as of now.</p> <p>iv). No information was truncated. Since, the file noting related to the disciplinary proceedings against Shri. N.K. Sethi; only name and designation of officials were severed to safeguard the identity of the officials dealing with the matter, as per provision u/s 10 of the RTI Act, 2005.</p> <p>v). Photocopies (14 pages) of relevant portion of the file relating to NPS and LIC Pension Scheme and copy (01 page) of non-eligibility of Shri N.K. Sethi.</p>

		of the Finance & Accounts Division and office).																	
2.	ITPO/RTI/Appeal/08/08/2018	<p>It is stated that PIO/CPIO of your office has failed to provide the required information. Information provided by PIO/CPIO is incorrect, incomplete and misleading. I am not satisfied from reply so I prefer file an appeal. (copy enclosed.)</p> <p>1. Please provide certified copy of caste certificate of following selected employees. This information is large public interest.</p> <table><tr><th>Name of Employee & Designation</th><th>Remarks</th></tr><tr><td>Shri Pankaj Manager(GC)</td><td>Delhi Office.</td></tr><tr><td>Shri Harpal Singh Manager(F&AQ)</td><td>-do-</td></tr><tr><td>Shri Deo Nath Pandit Executive (F&A)</td><td>-do-</td></tr><tr><td>Shri Ram Surat Attendant</td><td>-do-</td></tr><tr><td>Shri Raj Kumar Mehto Packer</td><td>-do-</td></tr><tr><td>Shri Moses P.S. Guria Manager(GC)</td><td>-do-</td></tr><tr><td>Shri Swapan Shaw Dy. Manager(GC)</td><td>Kolkata Office.</td></tr></table> <p>3. As per CIC Decision No.CIC/SG/A/2008/002481596 dated 11.02.2009, if person is using caste certificate/community certificate to secure job in Central/PSU/State Government and take all advantage on that document then it a public document. It is not personal and third party information under section 8(1)(j) of RTI Act-2005. So, information cannot be denied and the same may be provided to applicant. (Copy enclosed)</p> <p>4. Please provide details of Appellate Authority.</p>	Name of Employee & Designation	Remarks	Shri Pankaj Manager(GC)	Delhi Office.	Shri Harpal Singh Manager(F&AQ)	-do-	Shri Deo Nath Pandit Executive (F&A)	-do-	Shri Ram Surat Attendant	-do-	Shri Raj Kumar Mehto Packer	-do-	Shri Moses P.S. Guria Manager(GC)	-do-	Shri Swapan Shaw Dy. Manager(GC)	Kolkata Office.	<p>The First Appellate Authority, ITPO after having perused the RTI Application, Information furnished by PIO/CPIO, ITPO and first Appeal of the applicant/appellant observed and ruled that the “caste certificate is purely a personal information of third party(ies). Since the third parties(all the Seven Employees of ITPO mentioned in the appeal) have indicated that their caste certificate should not be disclosed to any body, therefore, the denial of furnishing of copies of caste certificate by PIO/CPIO is justified.</p> <p>Also, appellant may please refer following CIC decisions in this regard:</p> <p>i. No.CIC/MP/A/2014/001595 dated 31.08.2015 ii. No.CIC(D)P&T/A/2017/184 533/MP dated 11.10.2017 iii. No.CIC/MP/A/2016/001226 dated 21.11.2016</p> <p>As per above CIC decisions, the Central Information Commission has ruled as under:</p> <p>“On hearing the respondent and perusing the available records, the Commission observes that <u>caste certificate of third party is his/her personal information</u> and the public authority, to which it is submitted, holds it in the fiduciary capacity and is, <u>therefore, exempt from disclosure u/s 8(1)(e) & 8(1)(j) of the RTI Act 2005”</u></p>
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Shri Pankaj Manager(GC)	Delhi Office.																		
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3.	ITPO/RTI/Appeal/09/11/2018	<p>That the PIO has not given the copy of the order which were sought by the applicant.</p> <p>That feeling aggrieved with the unsatisfactory reply given, the applicant/Appellant is now filing Appeal for issue of necessary directions to the concerned Division and the officials without the influence of the officer having an interest in the reply as Shri Santosh Kumar Verma, CA is Financial Manager and is incharge of the Divisions. He is suppressing the information and is giving wrong information.</p> <p>It is therefore most respectfully prayed that the record be summoned and a hearing be given to the applicant and after hearing, the order dated 22.10.2018 be set aside and the information sought be ordered to be provided to the appellant in the interest of justice.</p>	<p>The First Appellate Authority after having perused the RTI application and 1st Appeal of the Appellant observed that the requisite Information has already been furnished to the appellant corresponding to the queries raised in his RTI application.</p> <p>Also, the First Appellate Authority, ITPO heard the queries of Appellant at length on 8th November, 2018 at 3.30 pm in the presence of Appellant, PIO/ DPIO, ITPO and ruled that –</p> <p>(i) The applicant /appellant has already been furnished all the information corresponding to the queries raised in her RTI application.</p> <p>(ii) The Copy of Transfer order, being a fresh point cannot be considered at this stage.</p>																

			<p>However, the applicant may file RTI application afresh, if so desire.</p> <p>(iii) The postal order of Rs.10/- submitted by the appellant along with 1st Appeal may be returned to the Appellant.</p>
4.	ITPO/RTI/Appeal/12/04/2018	<p>Allow the required information/records, as I have applied through the provision of RTI Act, 2005 on dated 3.12.2018. As well as office Secret Act is also allowing us for same.</p> <p>A departmental enquiry and fine are applicable here against the concerned erring PIO Shri A.K. Sachdeva for delay into the matter and unduly avoiding me and my client rights.</p> <p>If I am required for physically appearance of disposal of my first appeal before the first appellant authority, then issue the specific directions with sufficient grace period after the received your direction and fix the time at about 4.00 p.m. after court hours.</p>	<p>The First Appellate Authority, ITPO heard the matter of applicant, Shri A. Kumar Singh, Advocate for Shri S.K. Verma, Manager(Fin.) at 4.15 pm on 11th January, 2019 and ruled that –</p> <p>FAA, ITPO, after perusal of RTI application, consent of the Third Party and reply furnished by PIO/CPIO, upheld the decision of the CPIO/PIO and ruled that the copy of complaint filed by Mrs. Anchal Aggarwal was denied as per provision u/s 8(1)(j), since Mrs. Anchal Aggarwal, had submitted in writing that it was her personal grievance against Mr. S.K. Verma which was reasonably disclosed to Mr. S.K. Verma before the grievance redressal forum and requested ITPO to avoid disclosing /reopening the matter now to maintain her dignity.</p>
5.	ITPO/RTI/Appeal/01/07/2019	<p>Provided incomplete, misleading or false information.</p> <ol style="list-style-type: none"> 1. Is Electrical and Electronics Branch is equivalent to Electrical Branch against your Recruitment advt. for the post of Sr. Assistant(Electrical). 2. Is Electrical and Electronic Branch eligible for post Sr. Asstt. Electrical”. 	<p>First Appellate Authority, ITPO, after having perused the RTI application/reply furnished by PIO/DPIO and issues raised by Appellant in his Appeal, observed and ruled that the Appellant is seeking clarification which is not covered under the ambit of “Information” as defined u/s 2(f) of the RTI Act, 2005. However, the appellant may be conveyed that :-</p> <p>The person possessing Degree/Diploma in Electrical Engg may apply to the post. In case selected, they need to submit certificate stipulating equivalency of Electrical Engg. and Electrical /Electronic Engg. from the concerned University.</p>
6.	ITPO/RTI/Appeal/02/15/2019	<ol style="list-style-type: none"> 1. PIO No.1 denied to provide the Pension cheque of amount of Rs.49,470/- to the applicant vide office order No.ITPO/RTI/02/15/2019 dated 28.2.2019 2. PIO denied to implement the pension scheme 1952 of the Govt. of India, New Delhi. 3. PIO denied to implement the Judgement of Hon’ble Delhi High Court dated 4.2.1992 CWP 1688/88 Mahipal Singh Vs/ Trade Fair Authority of India. <p>Under these circumstances of the facts</p>	<p>The First Appellate Authority, ITPO, after having perused the RTI application, reply furnished by DPIO/PIO, and queries raised by the Appellant in his 1st Appeal, upheld the decision of the DPIO/PIO and ruled that the applicant/appellant may be conveyed that the information sought has already been provided to him. Following further information may be conveyed to him:-</p> <p>Regarding query at Sr. No.1 – PIO is not supposed to initiate action in the matter for</p>

		<p>stated above, it is prayed that the penalty of Rs.250/- per day may be imposed upon each and every PIO U/s 20(1) of the RTI Act, 2005.</p> <p>Issue further order to the respondent to provide the information to the applicant with certified copy of the documents as sought in RTI application dated 28.1.2019 and 31.1.2019.</p>	<p>providing cheque. Seeking initiation of action is not covered under the ambit of Information as defined u/s 2(f) of the RTI Act, 2005. The information which exists in the material form can only be provided.</p> <p>Regarding query at Sr. No.2. Pension Scheme 1952 is not applicable in ITPO. Also, please note that there are two contributory Pension Schemes for its employees and the status in respect of Shri Mahipal Singh, ex-Sr. Manager, has already been explained to the applicant in our letter dated 28.2.2019.</p> <p>Regarding query at No. 3 – The applicant may refer to reply given at point 1 and 2 above.</p>
7.	ITPO/RTI/Appeal/02/14/2019	<p>Provided incomplete, misleading or false information.</p> <p>In respect of question No.4 of the RTI query, the tentative interview dates for the post of Deputy Manager have not been provided. The same may kindly be offered for the perusal of this applicant.”</p>	<p>The date for conducting examination was not finalized when the reply was furnished earlier. Examination was conducted on 27.03.2019 and 28.03.2019. The Interview date is still not finalized. The Interview dates will be fixed on receipt of result.</p>