

Details of Appeal/Decision of First Appellate Authority for the period October 2020 to March 2021 under RTI Act 2005:

Sl. No.	ID No.	Ground of Appeal	Decision of First Appellate Authority/remarks
1.	ITPO/RTI/Appeal/11/04/2020	<p>➤ <i>Provided Incomplete, Misleading or False Information.</i></p> <p>➤ <i>The information furnished by the public information officer are insufficient, in complete and unsatisfactory. Kindly furnish the correct and satisfactory reply / information for my RTI application.</i></p>	<p>➤ <i>Against the RTI application dated.25.11.2020 APIO/PIO vide ITPO letter No. ITPO/RTI/11/04/2020 dated. 23/12/2020 has requested is deposit fee of Rs. 6790/- for the photocopies of the information as per the RTI fee rules 2005.</i></p> <p>➤ <i>The past information of the visitors being the personal information of the visitors and in case disclose shall invasion of the privacy of the visitors. Moreover, there is not larger public interest exist in disclosure, which is also exempt as per section 8(1)(j) of the RTI Act.</i></p> <p>➤ <i>Further, the information of the visitors is being kept under fiduciary relationship, therefore further exempted as per section 8(1)(e) of the RTI Act.</i></p> <p>➤ <i>The appellant intention that insufficient information is supplied is not evident.</i></p> <p>➤ <i>Further, CPIO is directed to provide proper reason for the denial in future.</i></p> <p><i>With these remarks, the appeal stands disposed of.</i></p>
2	ITPO/RTI/Appeal/10/01/2020	<p>➤ <i>Provided Incomplete, Misleading or False Information.</i></p> <p><i>A. For s.no. 1, the information sought is well defined and limited to the written, interview, and overall marks obtained by all the candidates selected as DM in various cadres in 2012, wherein 12 DM were selected (1 Architecture, 1 Civil, 1 D&D, 1 Finance and 5 General) and hence information sought is to the point, defined, limited and factual.</i></p> <p><i>B. For s.no. 3, it is binding to provide information not just from Admn</i></p>	<ul style="list-style-type: none"> <i>For Sl.No. (1) A consolidated list of candidates who have been selected for the post of Deputy Manager in different Cadres showing their marks during the year 2012 is attached (pg. 1).</i> <i>For Sl.No. (3) No such information is available.</i> <i>For Sl.No. (10) Admn. Division has nominated an Officer for Inspection of Files by the applicant and date and time for inspection of file is being communicated separately.</i> <i>For Sl.No. (11) Copy of Minutes of the DPC held on 02.07.2020 for promotion to the post of Manager (Arch) is</i>

		<p><i>but all divisions of the same organisation. Therefore, please either provide the requested information or provide a definitive reply about its absence.</i></p> <p>C. <i>For s.no. 10, the applicant sent email to CPIO dt 15.01.2021 (copy enclosed) to provide details of file inspection. However, no update has been provided.</i></p> <p>D. <i>For s.no. 11, of only 1 out of 2 candidates are provided. Since the applicant was himself a candidate in the DPC, so information sought is not unrelated, indiscriminate or confidential, and to be provided</i></p> <p>E. <i>For s.no. 12, after the provided O.o. dt 17.07.2018, 1 post of M (Arch) has been abolished and 1 post of SM (Arch) has been downgraded, thus materially changing the situation and so updated promotional avenues CURRENTLY available to be provided.</i></p>	<p>attached (pg. 1).</p> <ul style="list-style-type: none"> For Sl.No.(12), The OO dated 17.07.2018 has already been provided, however, for more clarity, OO No. Admn./986/2019 dated 25.09.2019 is also attached (pg. 1).
3	ITPO/RTI/Appeal/10/06/2020	<p>➤ <i>The information sought are not completely satisfactory / incomplete, as per details given below:-</i></p> <p>Point No. 4: <i>No photocopies enclosed giving the details of the Division and Departments from which NOC is required.</i></p> <p>Point No. 5: <i>The details of outstanding as on 30/09/2021 has been given partially only relating to Finance Division. The information about outstanding from the other divisions has not been provided.</i></p> <p>Point No. 6 & 7: <i>Copy of the any administrative Office Order to support of the reply given to the applicant has not been provided.</i></p> <p>Point No. 8: <i>Reply given to the applicant is also incomplete in the case of receipt of all NOC, if payment is delayed on the part of the concerned Division of ITPO in settling the</i></p>	<p>Though all the concerned Divisions/Sections gives NOCs on the prescribed format, once issued by Admn., however, as per information received various Division/Sections, other than Revenue and Salary Section as informed earlier, Dues as of 30.09.2020 are as under :</p> <p>(1) BCS – NIL (2) Medical – NIL (3) Security – ID Card to be deposited on last day of service (4) Vigilance – NIL (5) General Section – (6) Travel – NIL (7) ACR – NIL (8) E.III – Medical Card to be surrendered (9) Library – NIL (10) Engg. (Civil) – NIL (11) Engg. (Elect.) – Two Heat Convector (12) Computer Div. – IT Assets such as Computer, Monitor, Printer & UPS (13) Stores – Office Furniture</p> <p>Information from other Division are still awaited.</p> <p>NOCs are circulated to 19</p>

		<p>dues is incomplete. A copy of any Office Order issued to fix the delinquent officer has not been provided.</p> <p>Point No. Answer given to this question is contradicting to question No.5 as the responsibility of Fair 12 &13 Officer & team member was implemented in ITPO w.e.f. 24.06.2009 only.</p> <p>I have not given any supportive document for amount of Rs. 1,91,900/- of Akash Ganga Exports of Indian Exhibition, Mexico 03/98 have shown against my name as all other member of team have already given NOC. I may also be informed on what basis all other 6 members including Director of the Fair have been given NOC. The copy of approval of their NOC may also be provided.</p> <p>Point No. I have not been provided any order / Supporting document in support of reply, the same may 14 & 15 be provided.</p>	<p>Divisions/Sections 90 days in advance, as per practice, so that they can take action in time.</p> <p>It is the responsibility of the concerned Division to submit the NOC to Personnel Desk in time.</p> <p>In case of delayed payment due to late receiving of NOCs, no specific rule is available for fixation of responsibility.</p> <p>Copy of Circular dated July 14, 2009 attached.</p> <p>Further, with regard to issue of NOC to other team members of Indian Exhibition-Mexico (1998) retired/took VRS between the year 2002 and 2015, it is informed by the concerned Division that since the matter is very old, they are tracing out the documents.</p>
4	ITPO/RTI/Appeal/10/06/2020	<p>1. The reply submitted at S.No. 1 & 2 does not meet the principle requirement of my query and is also not relevant to the solution. The whole exercise has created more apprehensions with added element of doubt and distress for the person at the receiving end; because the clauses quoted under RTI does not support the element of narration illustrated in the specific sub clause of section 8(1)(g) and 8(1)(h) of the RTI Act.</p> <p>The relevant section is quoted as under:</p> <p>➤ “8(1)(g) – information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes”</p> <p>➤ “8(1)(h) – Information which would impede the process of investigation or apprehension or prosecution of offenders;</p> <p>2. It is clearly visible from the above, that the illustration of rules are derogatory and not in the spirit of rules as</p> <p>I. As how come not</p>	<p>➤ disclosure of information relating to ongoing disciplinary proceedings, which are in the nature of ongoing investigations, will have the impact of compromising those proceedings and restricting the discretion of the Enquiry Officer to decide as to what documents the officer proceeded against will have access to. Since departmental enquiry is in the nature of ongoing investigation, it is covered by Section 8(1)(h) of the RTI Act. It has been the view of the Commission that such disclosures would impede the process of investigation in so far as these would affect the ability of the Enquiry Officer to conduct and regulate the extant departmental proceeding.</p> <p>➤ The minutes of Review Committee Meeting held on 18.11.2020, wherein his suspension period was extended. It is submitted that directions of the competent authority for extension of suspension was already communicated to the applicant vide o/o dated. 19.11.2020. The information</p>

		<p><i>providing the copy of FIR and copy of the minutes of the review committee (18/11/2020) can endanger the life and physical safety of any person or identify the source of information.</i></p> <p><i>II. How come not providing the information lead to hampering of investigation as the review committee had already taken a decision on 18/11/2020 which has not been contested by the undersigned till date.</i></p> <p><i>3. Further as against reply w.r.t at para 3&4; I am enclosing herewith a postal order of Rs. 52/- only (50+5) for getting certified copies sought under para 3&4.</i></p> <p><i>4. It is humbly submitted that the reply dated 4th February 2021 by PIO is grossly inadequate and distorts facts. It speaks of callousness on part of the PIO that the reply has been simply copy pasted from other replies as explained below:</i></p> <p><i>The reference of my letter has been quoted dated 07/01/2021 submitted online, however the same has been sent by the applicant vide letter dated 18/01/2021 via offline mode not online mode as stated.</i></p>	<p><i>is related to the ongoing investigation and may not be considered for disclosure.</i></p> <p>➤ <i>We are enclosing copies of ITPO Employees (Conduct Discipline and Appeal) Rules Breakup of the Subsistence Allowance and sanction order (Photocopy 26 pages) as mentioned in our letter dated 04.02.2021 in reply to your RTI. We are also enclosing herewith Receipt no. C&B-200404 dated 08.03.2021 of Rs. 55/- paid for photocopying charges by the applicant.</i></p> <p>➤ <i>CPIO/PIO is directed to be careful in future.</i></p>
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