

1776/DOA (E.F.)
25/09/17
PS
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BY REGISTERED POST

T.S.KRISHNAMURTHY

Flat No.34, "Samvad Vihar",
Ahinsa Khand-2, Indirapuram,
Ghaziabad(U.P.), PIN:201014.

Dated:13th Sep., 2014.

To
Shri Saurabh Kumar Tiwari,
DDG(E.F) & Appellate authority under RTI Act., 2005,
Department of Telecommunications,
Sanchar Bhavan, New Delhi-110001.

Sir,

Sub: First Appeal under RTI Act, 2005.

Under my letter dt.27.04.2017 addressed to the CPIO, I made an application for information under the above cited Act wherein I had requested that I may be provided **"with a copy, of the policy adopted by S.E.A. branch of DoT with regard to fixation of Remuneration to consultants appointed amongst the ex-employees of Mahanagar Telephone Nigam Limited(MTNL) who retire while drawing Pay and Allowances under IDA Pay structure, together with copies of the internal notings and approvals obtained for finalizing such a Policy"**. In response, vide letter dt.11.05.2017 I was directed to remit a sum of Rs.16/- towards the charges for the information admittedly running to 8 pages, which was complied with by me on 22.05.2017. This was also conveyed to the CPIO by me vide letter dt.05.06.2017 followed by another reminder dt.25.07.2017 also. Still, no response having received, on my personal visit to Sanchar Bhavan on 24.8.2017 I was provided with a copy of a reply with a nine page enclosure, said to have been issued as early as on 04.07.2017.

128/A

2. ^① The communication so received was containing information on an entirely different issue in as much as pertaining to an initial question as to whether the retirees from BSNL & MTNL are to be appointed at all as consultants or not. Further, the information was running to 7 pages only, added with two irrelevant pages with information already available in public domain, instead of 8 pages as reported earlier and fee charged for. Therefore, I am constrained to claim that concerned RTI mechanism on one hand had failed to provide the information in time as stipulated under the Act and on the other hand failed to provide relevant information admittedly available, consisting of 8 pages.

Amr

3. In the above circumstances, I am enclosing copies of all the above correspondence in a chronological order beginning with my first application dt.27.04.2017 for your perusal and prefer this first appeal before you for an appropriate action under the said Act.

JAB/consultant
1137/2017/SEA
27/09/17
2068/D(SEA)
25.9.17

With Regards,

ADS(SEA)
DISHA B LONS
28/9/17
SEA-2

Yours sincerely,

(T.S.Krishnamurthy) 13/9/17

No. 33-06/2017-SEA-I
Government of India
Ministry of Communication
Department of Telecommunications
Sanchar Bhavan, Ashoka Road, New Delhi-110001

Dated 09.11.2017

APPELLATE ORDER ON APPEAL DATED 13.09.2017 of SHRI. T.S.Krishnamurthy UNDER RTI ACT

I, the Appellate Authority in the Department of Telecommunications have carefully gone through the appeal dated 13.09.2017 of Shri. T.S.Krishnamurthy filed before the First Appellate Authority..

Facts of the case:

1. The appellant filed the above first appeal before the First Appellate Authority on the ground that he has been provided with information on an entirely different issue other than the one asked for. i.e. fixation of remuneration to consultants appointed amongst ex-employees of MTNL. sought by him in his RTI application dated 27.04.2017.
2. The said RTI application dated 27.04.2017 had already been replied by Director(SEA)&CPIO vide letter No. 33-06/2017-SEA-I dated 04.07.2017.
3. In this regard the details of the documents sought for by the applicant/ appellant vide RTI application dated 27.04.2017 and in response, the Director(SEA)&CPIO supplied the documents vide letter dated 4.7.2017 to the applicant is as under:-

S.No.	Information / copies of documents scught for	Information/ copies of documents supplied
1.	Copy of the policy adopted by SEA branch of DoT with regard to fixation of "Remuneration to consultants appointed amongst the ex-employees of Mahanagar Telephone Nigam Limited, who retire while drawing Pay and Allowances under IDA Pay structure. He also request you that the same may be provided to him together with copies of the internal notings and approvals obtained for finalizing such a 'Policy'".	The applicant was supplied the copies of internal notings of file No.3-2/2009-SEA-I of SEA section before finalisation of Policy of engagement of Consultants at DoT.(Hqrs).

Issued
13/11/2017

Decision of the appeal:

On perusal of reply given by Director(SEA)&CPIO vide letter dated 04.07.2017, it has been observed that complete parawise information has been furnished to the applicant, (in total of 8 pages which are enclosed again.) There is no misleading information or reply for a different issue other than the one asked for. As regards the contention that the "irrevelant information" w.r.t. whether BSNL MTNL retirees are to be appointed as consultant is concerned, it is observed that the same is not severable from the information sought by the Applicant/ Appellant. Further, no details as to how the information provided by the CPIO is incomplete, misleading has been submitted by the Appellant. As such, the action of the CPIO and reply given by the CPIO vide letter No. 33-06/2017-SEA-I dated 04.07.2017 is in order.

2. Accordingly, I dispose of the appeal dated 13.09.2017 of Shri T.S.Krishnamurthy

Saurabh Kumar Tiwari
9/11/17
(Saurabh Kumar Tiwari)
DDG(E&F) & Appellate Authority

To

Shri. T.S.Krishnamurthy,
Flat No.34, "Samvad Vihar",
Ahinsa Khand-2, Indirapuram,
Ghaziabad(UP), PIN 201 014.