

RTI APPEAL DETAILS (आरटीआई अपील विवरण)

Appeal Registration Number (अपील पंजीकरण संख्या) :	DOTEL/A/2018/60059	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	07/04/2018
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	DOTEL/R/2018/50148	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	20/02/2018
Name (नाम) :	bharat bhushan raizada	Gender (लिंग) :	Male
Address (पता) :	A-412, Nav Nirman CGHSPlot no. 6A, Sector-2Dwarka		
Pin code (पिन कोड) :	110075		
State (राज्य) :	Delhi	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-1125080729	Mobile Number (मोबाईल नंबर) :	+91-8076505979
Email-ID (ईमेल-आईडी) :	bharatbhushanraizada@gmail.com		
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) :	
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
Approached CPIO (संपर्क सीपीआईओ) :	CS to Adw (CF) For v/a M 12/9/25 CPIO 12/14	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No.(सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided CS to Adw (CF)		12.04.2018
Ground for	Provided Incomplete, Misleading or False Information		

RTI No.

274
11/4/18

Forwarded to CS to Adw (CF)

For v/a M 12/9/25
CPIO 12/14

Appeal(अपील का आधार) :

The RTI was transferred by Sh. O.S.Ashok, Deputy Secretary (Admn-I) & the CPIO to four officers of the same public authority i.e. Department of Telecommunication vide his office letter No. nil dated 28/2/18 u/s 6 (3) of the RTI act 2005 (copy uploaded) erroneously and against the provisions of the RTI act 2005. Under section 6 (3), RTI application is transferred to another public authority and not within the same public authority.

As per information provided by Sh. Manish Kumar Gupta, Director (SEA) & CPIO vide his letter No. nil dated 16.3.18 (copy uploaded), the information at point No. 2 is misleading and incomplete. The information provided is reproduced below-

**Text of RTI
First Appeal
(आरटीआई प्रथम
अपील का पाठ) :**

It is intimated that the instructions contained at para 3 of the ibid DOP&T OM dated 18 May 2015 have been implemented in letter and spirit wherein the APAR for the financial year 2016-17 have been recorded by 31 December 2017 and closed accordingly.

So the information provided about those APAR which have been recorded by 31 December but para 3 of the said DOP&T OM is about such APAR which have not been recorded by 31 December. Para 3 of the said OM is reproduced below-

If an APAR for a financial year is not recorded by 31st December of the year in which the financial year ended, no remarks may be recorded thereafter and the officer may be assessed on the basis of the overall record and self assessment for the year, if he has submitted his self assessment in time.

Therefore the said CPIO is misleading the applicant.

Secondly, copies of direction issued / endorsement done to these directions have not been provided.

Therefore certified copies of action taken report on para 3 of the said OM be provided.

Any other related information be also provided.

CS to Adv (F)/APAR/RTI/2018
 Government of India
 Ministry of Communications
 Department of Telecommunications
 Sanchar Bhawan, 20 Ashoka Road, New Delhi-110 001

Dated: 16th March, 2018

To

Shri Bharat Bhushan Raizada
 A-412, Nav Nirman CGHS
 Plot No 6A
 Sector 2, Dwarka
 New Delhi – 110075

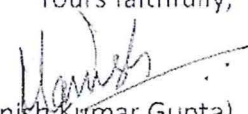
Subject : Application dated 20/02/2018 of Shri Bharat Bhushan Raizada
 seeking information under RTI Act 2005

Sir,

1. Kindly refer to your RTI application dated 20/02/2018 regarding certified copies of the action taken report on para 3 and 4 of DOP&T OM dated 18 May 2015.
2. It is intimated that the instructions contained at para 3 of the ibid DOP&T OM dated 18 May 2015 have been implemented in letter and spirit wherein the APAR for the financial year 2016-17 have been recorded by 31 December 2017 and closed accordingly.
3. In regard to para 4 of the said OM, it is intimated that online recording of appraisal report of all Group A officers of IP&T A and FS cadre has already been implemented from year 2016-17 and onwards. In this regard photo copies of our letter No CS/Adv (Finance)/SPARROW/2016 dated 22nd March, 2016 and CS/Adv (Finance)/SPARROW/2016-17 dated 16th January, 2017 regarding implementation of SPARROW are annexed herewith as desired.
4. In case, you are not satisfied, you can approach the appellate authority ie Sh Abhay Kumar Singh, DDG (E&T) of this office.

Thanking you,

Yours faithfully,


 (Manish Kumar Gupta)
 Director (SEA) & CPIO
 Tele : 23036103

Annexure : Two only

Copy to :-

DS (Admn I) & CPIO

- for information please.



No.2/9/2015-EO(ACC)
भारत सरकार
कार्मिक और प्रशिक्षण विभाग
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
नोर्थ ब्लॉक, नई दिल्ली 110001
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL & TRAINING
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS
NORTH BLOCK, NEW DELHI-110001

Dated: May 16, 2015

To
Cadre Controlling Authorities
(as per the enclosed list)

Dear Sir/Madam,

I wish to bring to your kind attention the direction of ACC for inclusion of a specific provision in the relevant rules of Central Civil Services that APAR not completed by 31st December of the year would be treated as time barred. The details are as follow:

2. The ACC while considering a proposal for appointment of CMD in a PSU has observed that non-adherence to stipulated time lines in finalising APARs is a recurrent problem in all Sectors of the Government. Sometimes, it is the assesses who do not submit their self appraisals in time and sometimes the delay is due to Reporting/Reviewing/Accepting Authorities not adhering to the time-lines. Often cases of undated appraisal/comments are noticed and possibility of back dating can also not be ruled out.

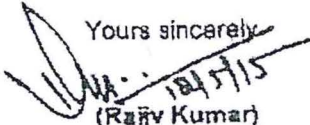
3. With a view to address the above issues, the ACC has directed the Department of Public Enterprise (for CPSEs), Department of Financial Services (for PSBs, FIs and Insurance Companies) and all Cadre Controlling Authorities (for Central Civil Services in respect of cadres controlled by them) to include the following provision in the relevant rules governing the APARs of the Service:

" if an APAR for a Financial Year is not recorded by 31st December of the year in which the financial year ended, no remarks may be recorded thereafter and the officer may be assessed on the basis of the overall record and self assessment for the year, if he has submitted his self assessment in time".

4. It is suggested that the DPE, DFS and other Cadre Controlling Authorities may also introduce on-line filing of APAR. DOPT had launched on-line application christened as SPARROW w.e.f. 1st April, 2014 to enable the IAS officers to file their PARs online. The SPARROW can be tweaked/modified by the SPARROW team of NiC as per the specific requirements of the Services. In this regard, you may kindly refer to my earlier letter dated 21.04.2015(copy enclosed) indicating the advantages accrued from the implementation of on-line filing in respect of IAS officers and steps required to be taken for rolling out the on-line system to other Services.

5. The Department of Public Enterprise (for CPSEs), Department of Financial Services (for PSBs, FIs and Insurance Companies) and all cadre controlling authorities (for Central Civil Services in respect of cadres controlled by them) are, therefore, requested to comply with the directions of the ACC and also take steps as outlined in the para 5 of the enclosed letter for rolling out the online system.

6. An action taken report on para 3 and 4 above may be sent to this Department urgently for apprising the ACC accordingly.

Yours sincerely

(Rajiv Kumar)
Establishment Officer



सूचना
का अधिकार

<http://persmin.gov.in>

No.A-21021/08/2018-Admn.III
 Government of India
 Ministry of Communications & IT
 Department of Telecommunications
 Sanchar Bhawan, 20, Ashoka Road, New Delhi-110 001.

Dated the 28th February, 2018.

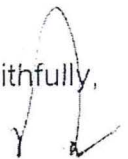
Subject: Request for supply of Information under RTI Act, 2005 – Transfer case under Section 6(3) of RTI Act.

Sir,

I am to enclose a copy of RTI application from Sh.Bharat Bhushan Raizada dated 20-02-2018 (registration no. DOTEL/R/2018/50148) seeking information under RTI Act, 2005 regarding action taken report on para 3 & 4 of DoPT's O.M. No. 2/9/2015-EO (ACC) dated 18.05.2015.

2. Since the information sought for pertains to information on specific provisions in the relevant rules governing APARs on SPARROW for Central Civil Service in respect of the cadres controlled by this Department, the application is transferred under 6(3) of RTI Act, 2005 for sending information to the applicant directly by the respective CPIOs of the cadres.

Yours faithfully,



(O.S. Ashok)

Deputy Secretary (Admn-I) & CPIO
 Tel. 2303 6053.

Encl : As above.

To

1. Shri R.K. Tondar, Director (Staff), DOT. [in r/o ITS Cadre].
2. Shri Manish Gupta, Director (Finance), DOT [in r/o P&TAFS cadre]
3. Shri Sanjay Kumar, Director (BW), DOT [in r/o BWS cadre]
4. US - (Admn-II), DOT [in r/o IRRS cadre].
5. Shri Vinai Kumar Kanojia, Director (IT), DOT

Copy to:-

1. RTI Cell, DOT.
2. Shri Bharat Bhushan Raizada, A-412, Nav Nirman CGHS, plot No. 6A, Sector-2, Dwarka, Delhi Pin- 110 075 for information.

CS to Adv (F)/APAR/RTI/2018
Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20 Ashoka Road, New Delhi-110 001

Dated: 01st May, 2018

To

Shri Bharat Bhushan Raizada
A-412, Nav Nirman CGHS
Plot No 6A
Sector 2, Dwarka
New Delhi – 110075

Subject : Application dated 20/02/2018 of Shri Bharat Bhushan Raizada seeking information under RTI Act 2005

Sir,

1. Kindly refer to your RTI appeal dated 07/04/2018 regarding certified copies of the action taken report on para 3 of DOP&T OM dated 18 May 2015.
2. It is intimated that on checking the information as provided by Shri Manish Kumar Gupta, CPIO and your appeal on the subject, it is revealed that the word 'not' is left inadvertently which changed the meaning of whole sentence. It may please be read as under :-
 2. It is intimated that the instructions contained at para 3 of the ibid DOP&T OM dated 18 May 2015 have been implemented in letter and spirit wherein the APAR for the financial year 2016-17 have not been recorded by 31 December 2017 and closed accordingly.
3. It is further intimated that no action taken order in that regard ie on para 3 of the said DOP&T OM dated 18 May 2015 has been issued by the concerned section so far and thus could not be provided. In case, you are not satisfied, you can approach the second appellate authority ie Shri PK Sinha, Advisor (Finance) of this office.

Thanking you,

Yours faithfully,



(Abhay Kumar Singh)
DDG (E&T) & Appellate Authority
Tele : 23036103

copy to

RTI Cell -

for information with reference to your ^{advisory} No 276