

9/15/2022-ABC

Public Authority: Department of Electronics & Information Technology

Role : Appellate Authority

User : Roop Kishor (ABC Div)

Note : Fields marked with are Mandatory. (नोट : से चिह्नित फील्ड अनिवार्य हैं)

Registration Number (पंजीकरण संख्या) :	DITEC/A/E/22/00068 View RTI Request Details (आरटीआई विवरण का अनुरोध देखें) View Appeal Details (अपील विवरण देखें)
Appeal is received by (अपील का प्राप्तकर्ता) :	Online Receipt
Date of Receipt (प्राप्ति की तारीख) :	29/04/2022
Name (नाम) :	[Redacted]
Gender (लिंग) :	[Redacted]
Address (पता) :	[Redacted]
Phone Number (फोन नंबर) :	Details not provided
Mobile Number (मोबाईल नंबर) :	[Redacted]
Email-ID (ईमेल-आईडी) :	[Redacted]
State (राज्य) :	[Redacted]
Country (देश) :	India
RTI Request Registration No (सूचना का अधिकार अनुरोध पंजीकरण सं.) :	DITEC/R/E/22/00331
RTI Request Registration Date (सूचना का अधिकार अनुरोध पत्र दिनांक) :	28/03/2022
Appeal Letter No. (अपील पत्र सं.) :	Details not provided
Appeal Letter Date (अपील पत्र दिनांक) :	Details not provided
Citizenship Status (नागरिकता) :	Indian
Is Appellant Below Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
Does it concern the life or Liberty of Person? (क्या यह किसी व्यक्ति के जीवन अथवा स्वतंत्रता से संबंधित है?) :	Details not provided.
Name of CPIO (सीपीआईओ का नाम) :	Revathi Suresh Kumar (ABC Div)
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided
Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश निर्णय के रसीद की तारीख) :	Details not provided
Ground for Appeal (अपील का आधार) :	Refused access to Information Requested [Redacted]
Prayer or Relief Sought (प्रार्थना या अनुरोध की गई राहत) :	The details of RTI appeal are in a document uploaded as supporting document.

JDC (ABC)

Roop Kishor
10/5/2022

Sb (ABC)

एबीसी अनुभाग / ABC Division
डायरी सं. / Dy. No. R.T.I.-22.
दिनांक / Dated ...10/05/2022...

ACTION HISTORY OF RTI REQUEST No.DITEC/R/E/22/00331				
Applicant Name				
Text of Application		The details of RTI application are in a document uploaded as supporting document		
Reply of Application		Information sent to the applicant vide letter no. 9(15)/2022-ABCD dated 22.4.2022		
SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	28/03/2022	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	28/03/2022	Nodal Officer	Forwarded To : Revathi Suresh Kumar (ABC Div)
3	REQUEST DISPOSED OF	25/04/2022	Revathi Suresh Kumar (ABC Div)- (CPIO)	

RTI APPEAL DETAILS			
Appeal Registration Number :	DITEC/A/E/22/00068	RTI Appeal Received Date:	29/04/2022
RTI Request Registration No.	DITEC/R/E/22/00331	RTI Request Reg. Date:	28/03/2022
Name:		Gender:	Male
Address :			
State :		Country:	India
Phone Number:	Details not provided	Mobile Number :	
Email-ID) :			
Status:	Urban	Educational Status :	Above Graduate
Citizenship Status :	Indian	Is Appellant Bellow Poverty Line ? :	No
CPIO Approached :	13221	Date of Receipt of CPIO's Order/Decision:	Details not provided
CPIO's Order/Decision No.) :	Details not provided		
Ground for Appeal:	Refused access to Information Requested		
Text of RTI First Appeal :	The details of RTI appeal are in a document uploaded as supporting document.		

29.4.2022

To

Shri Roop Kishor
Director & First Appellate Authority, ABC Division
Ministry of Electronics and Information Technology,
Electronics Niketan, 6, C.G.O. Complex,
New Delhi-110003.

Sub: First Appeal under Section 19(1) of RTI ACT, 2005

Respected Sir,

I had filed RTI Application bearing R.N DITEC/R/E/22/00331 dated 28.03.2022 seeking following information:

- i. *All file/green sheet notings at MeitY after 25.11.2021 with respect to representation of Ganga Prasad GL to antedate his promotion to the date of eligibility*
- ii. *All action/s taken at MeitY on the representation of Shri Ganga Prasad after 25.11.2021*
- iii. *All action/s taken at MeitY on the legal notice sent by lawyer of Shri Ganga Prasad to Secretary, MeitY.*
- iv. *All communications made by MeitY to DOPT and replies received from DOPT after 25.11.2021 with respect to implementation of order of CAT Bangalore dated 18.4.2018 in case of OA No. 170/00603 of 2016 in case of Shri Ganga Prasad GL*
- v. *All communications made by MeitY to CDAC and replies received from CDAC after 25.11.2021 with respect to representation of Shri Ganga Prasad GL and antedating his promotion to the grade of Scientist 'G' to his date of eligibility.*

2. I received communication from CPIO, ABC Division, MeitY bearing no. 9(15) /2022-ABCD dated 22.04.2022 mentioning that still under submission to higher Authorities hence the information sought is not available in ABCD division at present. .

3. In above context, following is submitted for the consideration of Appellate Authority:

- a. CPIO, in his letter, has not mentioned any clause under section 8(1) which he has used to deny the information. Further the reason given by CPIO to deny the information is not at all covered by any clause under section 8(1) of RTI ACT. CIC many times has ruled that CPIO cannot imagine new exemptions other than grounds available in Section 8 (1) of RTI Act.
- b. CIC in its decision dated 31.07.2019 in case of File No. CIC/DGAAR/A/218/125595/SD has held that merely informing that matter is under consideration is akin to providing no information. CPIO in this case was directed by CIC to provide certified copies of available note sheet/correspondence as on the date of the order by CIC free of cost.
- c. Information sought has not been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court. Hence it cannot be denied under section 8(1)(b) of RTI Act. Further, MeitY itself is the custodian of the information sought and hence information sought not be denied under section 8(1)(e) of RTI Act. too.
- d. The information sought is in the context of the reply filed by to National Commission for Scheduled Castes in response to petitioner's rejoinders to Hon'ble Commission. The information sought has direct relevance to prayers of petitioner before Hon'ble Commission and promotion of the petitioner to the grade of Scientist 'G' from the date of eligibility. Further, there is large public interest involved in disclosing the sought information.
- e. By the time this appeal is disposed of by Appellate Authority, ABC division would have received the concerned file from higher authorities .

In view of above, Appellate Authority is requested to issue speaking order and provide the information himself or direct CPIO to provide the information available as on the date of disposal of this appeal free of cost.

With Regards,

Vasant Avaghade