



भारत सरकार
खान मंत्रालय

विषय -- सूचना का अधिकार अधिनियम, 2005 के तहत श्री. रंजन सहाय,
नागपुर से प्राप्त अपील के संबंध में ।
संदर्भ -- पत्र सं. 24/12/2012-Vig. dt. 21.2.2012.

उपरोक्त विषय के संदर्भ में श्री. रंजन सहाय, नागपुर द्वारा प्रथम अपील श्री. एम.के. पराशर, कंट्रोलर ऑफ माईस, भारतीय खान ब्यूरो, नागपुर के समक्ष दायर की है और प्रतिलिपी इस मंत्रालय को सूचनार्थ भेजी है । उक्त अपील की प्रतिलिपी को इस पत्र के साथ उचित कार्यवाही हेतु भेजी जा रही है ।


(राजेश शाह/Rajesh Shah)
ए.सी.पी.आई.ओ./ACPIO

संलग्न: यथोपरी


श्री. ए.के. पटनी, उप सचिव/अपीलीय अधिकारी, खान मंत्रालय, नई दिल्ली.
पी.आई. सैल यू.ओ. क्रमांक 2013/00049-पी.आई. दिनांक 09.04.2013.

AN APPEAL TO FIRST APPELLATE AUTHORITY

To,

Shri.M.K.Prashar
Controller of Mines (Cord) &
Appellate Authority (HQRs)
Indian Bureau of Mines,
Nagpur

Sub: Appeal to First Appellate Authority, IBM, Nagpur under the RTI Act 2005

Ref: My application for supply information under RTI Act 2005 dated 7.02. 2013

Sir,

I Ranjan Sahai , requested to supply the information under RTI Act 2005 vide my letter dated 7.02. 2013 Shri Manoj Kumar Jha, Section Officer ,Vigilance Section, Ministry Of Mines, Room No- D-301,Shastri Bhawan ,New Delhi (Annexure-1) the same is reproduced as below :

1. The copy of letter no. 009/NMS/018/45445 dated 20.05.2009 from the CVC regarding investigation into a pseudonymous complaint for which approval was given by CVC.
2. In view Sr. no.1, copy of any action taken by Shri N.K.Gupta, then CVO, IBM to establish identity of pseudonymous complainant.
3. Despite of the CVC Circular No.3 (v)/99/2 dated 29/06/1999 and no. 98/DSP/9 dated 11/10/2002 regarding Improving vigilance administration –no action to be taken on anonymous /pseudonymous complaints, **then** letter from Shri N.K. Gupta, then CVO, IBM, Nagpur to CVC/ministry recommending therein action to be taken against pseudonymous compliant.
4. Copy letter /action taken by Shri N.K.Gupta , then CVO, IBM to verify existence of Complainant Shri Deepak K. Bharne, resident of Jawahar Colony, Aurangabad 431001.

SoC PD
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5. Action taken by the Ministry on complaints/ representations by Shri Ranjan Sahai against Shri N. K Gupta, then CVO, IBM, regarding harassment and vindictive approach.

Brief fact leading to appeal

In response to above letter Shri Manoj Kumar Jha, Section Officer & CPIO, Vigilance Section, Ministry Of Mines, vide his letter No.24/12/2013-Vig dated 21.02.2013 provided me information on item no.5 and transferred my application dated 7.02.2013 to Shri S.K.Singh, AOO & CPIO(Vigilance Section), IBM, Nagpur (Annexure-2) with direction to furnish the information from item 1 to 4. Accordingly Shri S.K.Singh, CPIO (Vig. Section), IBM has replied vide his letter no.C-13011(5)/2006 dated 22.03.2013 (Annexure-3) that information relevant thereto (item 1 to 4) are of **confidential in nature** so same cant not be disclosed to **public** as per section 8(1)(g) of RTI Act 2005.

Prayer or relief sought & Submissions:

The contentions vested in reply of Shri S.K. Singh, CPIO (Vig. Section), IBM are rather out of place and appears to be invalid since information vide item no.1 to 4 pertains to anonymous/ pseudonymous complaint for which enquiry/ investigation made against undersigned by CVO, IBM which has been now concluded therefore, its disclosure has no relationship to any public activity or interest and also not being a confidential as well.

This is hereby to submit that the undersigned is in the process to seek natural justice in aforesaid case which may impair his carrier & prospects. It is bring your kind notice that CPIOs including vigilance section of Ministry of Mines, supplied information in the matter and also as per direction of CIC also (copy enclosed-Annexure-4).

Ground for prayer or relief

In this concern, I am also enclosing the copy of order Hon'ble High Court vide WP(C) No.4056 of 2008 and CM Nos.7869 and 10885 decided on 14.09.2010 regarding "Agreed List" information (Annexure-5) and decision of CIC vide order no. CIC/SM/A/A2012/001320 dated 21/03/2013(Annexure-6) on the issue concerning with individual/ applicant against which is self-explanatory. In light of aforesaid order, the information


requisitioned from item no.1 to 4 of my original application cannot be denied in any case with respect any public (government) servant by virtue of he is employed and paid fully for the work assigned for.

Any other information relevant to appeal

The requisite information is invariably being required for seeking natural justice from competent authority in his carrier prospects and endeavor in righteous manner and uphold my integrity and sanctity.

Encl: Annexure 1 to 6

Yours faithfully


(Ranjan Sahai)
Controller of Mines (CZ)

✓ Copy for information to

1. Shri A.K. Patney, Nodal Officer (RTI) & Deputy Secretary, Ministry of Mines, Govt. of India, Room no D-309, Shastri Bhavan, New Delhi-11001.

2. Shri Manoj Kumar Jha, Section Officer, Vigilance Section, Ministry Of Mines, Room No- D-301, Shastri Bhawan, New Delhi


28/3/13
Ranjan Sahai)
Controller of Mines (CZ)

RTI Matter

Government of India
Ministry of Home Affairs

→ M/o. Mines

No. 24.12.2012-Vig

dated 16th April, 2013

To,
Shri M.K. Parashar,
Controller of Mines (Cord.),
& Appellate Authority (HQRs),
Indian Bureau of Mines,
Indira Bhawan, Civil Lines,
Nagpur-440001

Subject : First appeal of Shri Ranjan Sahai to Appellate Authority, IBM
under RTI Act, 2005.

Sir,

I am directed to refer to letter No. C-13011(5)/2006-Vig dated 22.03.2013 of IBM and to say that a copy of First appeal has been received from Shri Ranjan Sahai which is addressed to Appellate Authority, IBM under RTI Act, 2005. The copy of same is being forwarded herewith with request to take a decision in the matter within the stipulated time.


(A. K. Patney)

Deputy Secretary to the Government of India

Copy for information:

Shri Ranjan Sahai,
Controller of Mines(CZ),
Indian Bureau of Mines,
Indira Bhawan, Civil Lines,
Nagpur-440001

✓ copy for information & further necessary action to:
P. I. Cell Ministry of Mines U.No. 2013/00049-P.I dated
9.4.2013