**Order on Appeal under Section 19 of RTI Act-2005**

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<th>First Appeal Case No.</th>
<th>8/(8)/2015-MET-II(G)</th>
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<td>Appellant</td>
<td>Shri G. Jaya Kumar</td>
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<td>CPIO</td>
<td>Smt. Abha Mishra</td>
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<td>Ground of Appeal</td>
<td>Information supplied by CPIO is not Satisfactory</td>
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<td>Date of Receipt of Appeal</td>
<td>29-5-2015</td>
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<td>24-6-2015</td>
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Shri G. Jaya Kumar, Co-ordinator, BGML Employees Supervisors & Officers United Forum, M-043, Near Mysore Hall, Marikuppam, Kolar Gold Fields-563119 (hereinafter referred to as the Appellant) has filed the above mentioned appeal, aggrieved by the reply furnished by the CPIO vide letter 15-5-2015.

On going through the records, it is observed that the Appellant had sought information relating to Minutes/decision taken in the Inter Ministerial Group Meeting held on 8-4-2015 regarding Affairs of BGML.

CPIO had intimated that information can not be provided under Section 6 (i) of RTI Act-2005.

In this regard it is to state that information provided by CPIO vide her letter dated 15-5-2015 is appropriate, as action has still not been completed on Minutes / decision of Inter Ministerial Group (IMG) meeting held on 8-4-2015. Under these circumstances Minutes /Decision of IMG can not be disclosed.

With the above facts, the Appeal stands disposed of. If you are not satisfied with the order of Appellate Authority, you may file Second Appeal to Central information Commission, B-Wing, 2nd Floor, August Kranti Bhawan, Bhikajikama Place, New Delhi with in 90 days of this order.

(Farida M. Naik)

Appellate Authority and Director
Ministry of Mines, Room No.303, D-Wing, Shasri Bhawan, New Delhi-110001.
Phone No.23384593

To

1. Shri G. Jaya Kumar, Co-ordinator, BGML Employees Supervisors & Officers United Forum, M-043, Near Mysore Hall, Marikuppam-Post, Kolar Gold Fields-563119.

2) P.I Cell w.r.t. their U.O. letter No.2/120/2015-PI dated 12-5-2015.

3) CPIO (Smt. Abha Mishra)
Smt. Farida M. Nallu,

Director and Appellate authority,

Ministry of Mines, Govt. of India, Room no: 303, D-wing, ‘Shastri Bhawan’,

New Delhi.

Respected Madam,

Sub: Appeal against the order of the CPIO: Reg.

With reference to the above, I write to submit with your good office. I have submitted my RTI application pursing my appeal the CPIO have refused to give information to my request vide no: 1) Minutes/decision taken in the Inter Ministerial Group Meeting convened on the 8-4-2015. The CPIO have refused to part information vide section 8(o) of RTI Act-2005, in his Ltr no: 8/8/2015-metal-II (G), Dated: 15/5/2015. In this regard the CPIO have refused citing the above reason, which is not applicable in the matter, the group of secretaries have discussed exclusive affairs pertaining to Bharat Gold Mines Limited, and I was informed by the BGML authority vide Ltr No: BGML/OSD/2014-15/ Dated: 23rd Dec 2014, stating that certain key matters pertaining to BGML workers issues need to be approved at IMG. Annexure-1 this reply was based on my representation submitted to the Hon’ble Prime Minister of India, and subsequent Ltr from the Dy. Secretary Ministry of Mines vide ref No: 11(5)/2014-Met-II(G), Dated: 22nd Oct 2014 and Ltr no: Dated 9-12-2014/ enclosed in Annexure-2. There is no reason to refuse information, since the matter involves high public importance and same section 8(o) states that the decisions of council of Ministers. The reason thereof and the material on the basis of which the decisions were taken shall be made public after the decision has been taken, and the matter is complete or over. The particular issue concerns with IMG approval and thereafter for competent court approval to the workers issues; therefore I want to know the decision of the IMG pertaining to BGML revival and workers issues thereafter which involves public importance.

Submitted for needful please,

Thanking you,

Yours faithfully,

G. Jayakumar.

President of the Society and Coordinator of the Forum.
No.11(5)/2014-Met-II(G)

To,

Shri D.Purushothaman
Officer on Special Duty,
Bharat Gold Mines Limited,
Suvarna Bhavan,
Post-Oogaum,
Kolar Gold Fields-563120

Subject: PMO reference:- Requesting probe on BGML issues and expediting revival

Sir,

I am directed to refer to this Ministry’s letter of even No. 22-10-2014 forwarding therewith copy of representation dated 15-6-2014 from Shri G.Jaya Kumar Co-ordinator, BGML Employees, Supervisors and Officers United Forum received through Prime Minister’s Office in this Ministry (Copy enclosed), on the above cited subject and to request you send reply to the representationist under intimation to this Ministry as well as Prime Minister’s Office.

Yours faithfully,

(Abha Mishra)
Under Secretary to the Govt. of India
Telephone-24369480
e.mail:abha.mishra@nic.in

Copy to
Shri G.Jaya Kumar, Co-ordinator, BGML Employees, Supervisors & Officers United Forum, M-043, Near Mysore Hall, Marikuppam-Post
Kolar Gold Fields-563119
No.11(5)/2014-Met-II(G)

To,

Shri D. Purushothaman
Officer on Special Duty,
Bharat Gold Mines Limited,
Suvarna Bhavan,
Post-Ogaum,
Kolar Gold Fields-563120.

Subject: - PMO reference-Requesting probe on BGML issues and expediting revival

Sir,

I am directed to forward herewith a copy of representation No.BGML/JTUF/MOM,S,L&E/ 2014-15/ dated 15-6-2014 from Shri G. Jaya Kumar, Coordinator, BGML Employees, Supervisors & Officers United Forum, received through Prime Minister’s Office in this Ministry on the above cited subject, and to request you to send reply to the representationist under intimation to this Ministry as well as Prime Minister’s Office.

Yours faithfully,

(Abha Mishra)

Under Secretary to the Govt. of India
Telephone: 24369489
e.mail: abha.mishra@nic.in

Encl: As above
Ref.No.BGML/OSD/2014-15/

Shri. G. Jayakumar,
Coordinator
BGML Employees, Supervisors & Officers United Forum
No.M-043, Near Mysore Hall
Marikuppam,
K.G.F 561 119.

Sub: Requesting CBI probe on BGML issues and expediting revival – reg.

Ref: Your representation dated 15/6/2014 to the PMO’s Office.

Sir,

With reference to the above, we would like to inform the following:

1. **BGML and court cases with erroneous Cabinet decision:**

   We are not competent to make any comment on the Cabinet decision regarding sale of BGML assets for revival of its operation. Hon’ble Supreme Court vide its order dated 09.07.2013 permitted the Union of India to proceed with the “Global Tender” in accordance with the decision taken dated 27.07.2006 of the Cabinet.

2. **Global Tender and unsolved issues:**

   The process of global tendering is in progress. The volume-I of the Tender document already finalized and has been submitted to Ministry of Mines. The draft of Volume –II of the tender document i.e. Memorandum of Information has also been prepared. In order to finalize the same, certain issues require guidance from IMG and also approval from the Cabinet thereafter, as these are in deviation to the earlier Cabinet decision as these have come up later on. It includes decision on houses occupied by individuals other than employee who have separated under STBP, leases given for commercial, educational and religious purpose individuals/ institutions and to BEML now expired, renewal of 4 no. of mining leases, payment of difference amount for VRS. Once decision obtain the Volume- II will be submitted immediately to Ministry of Mines for putting it IMG for their views, if any, before its submission to company court for approval.
3. **Balance VRS Payment as per OM dated 6/11/2001:**

This issue is proposed to be discussed in next IMG for guidance and would need approval from the cabinet.

4. **Interest payment on belated settlement of Gratuity:**

As per the directives of the Ministry of Mines some of the awards from the Appellate Authorities have been challenged before the Hon’ble High Court and the verdicts are awaited. Further action has also been initiated to challenge the pending awards of the Controlling Authority and Appellate Authority appropriately.

5. **Housing Problem:**

Allotment of houses to other category of employees is proposed to be discussed in the next IMG and would need cabinet’s approval.

6. **Organised thefts and looting of national properties at BGML:**

Recently, Ministry of Mines has forwarded a document received from Home Department Government of Karnataka State, regarding large scale theft of property in BGML and also transfer of equipment un authorisingly. As suggested the committee has been reconstituted under the Chairmanship of CVO, GSI. This committee has also been requested to investigate into the missing of Gold and Silver from the mill and also reported allotment/leasing of BGML land on long term basis, enquiry and physical verification of property and assets. The enquiry is yet to commence.

This is issued with the approval of the competent authority.

Thanking you,

Yours faithfully,

For BHARAT GOLD MINES LIMITED

[Signature]

Officer on Special Duty

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Copy for kind information to:

1. PMO’s Office, New Delhi - This has got reference to PMO Office letter No.PMO ID NO.07/03/2014-PMP4 July 11, dated 25th July 2014
2. Managing Director – BGML
3. Director (Finance) – BGML
4. Ms. Abha Mishra, Under Secretary to GoI, MoM, New Delhi – This has got reference to Ministry’s letter No.11(5)/2014-Met.II(G), dated 22nd October 2014.