Order of Appeal under Section 19 of the RTI Act, 2005

Appellate
Shri P.K. Choudhary

Date of RTI Application
08.09.2014

Reply furnished vide letter No. & Date
Not furnished

Name of the CPIO
Not appointed

Ground of 1st Appeal
Information not furnished by CPIO

Date on which Appeal received
14.11.2014

Shri P.K. Choudhary, Plot No.C-39, Kolbaswamy Layout, Near Nisarg Lawn, Katol Road, Nagpur-440013 filed 1st Appeal under section 19(1) of the RTI Act, 2005 aggrieved by information not furnished by CPIO, Ministry of Mines sought by him vide application dated 7.11.2014. The information sought by the applicant against his application dated 8.9.2014 under RTI Act, 2005 has not furnished by the CPIO (Mines-II Section, Ministry of Mines.

After looking into the matter it has been found that due to administrative reasons, the CPIO for the Section has not been appointed. Accordingly, the officer concerned directed to submit the reply to the information sought by the applicant.

The reply prepared by the concerned officer based on the information/documents available in the relevant files.

Therefore, the reply furnished to information sought by the applicant to his application dated 8.9.2014 is enclosed.

In case, the Appellant is not satisfied, he may file 2nd Appeal before the Central Information Commission under RTI Act, 2005.


(Farida M. Naik)
Director & Appellate Authority
Tele: 23388061
E-mail: fm.naik@nic.in

FIRST APPEAL UNDER SECTION 19(1) OF THE RIGHT TO INFORMATION ACT, 05

To,
The First Appellate Authority
under RTI Act, 05,
Ministry of Mines, Govt. of India,
Shastri Bhawan,
New Delhi-110001

1. Name of the Applicant : P.K. Choudhary
2. Address : Plot No. C-39, Kolbaswamy Layout,
Near Nisarg Lawn, Katriol Road,
Nagpur-440013,

3. Particulars of the CPIO : CPIO, Ministry of Mines, Shastri Bhavan,
New Delhi-110001.

4. Date of submission of application for seeking information : 08.09.2014 received on 12.09.2014 in the MOM.
5. Date on which 30/35/40 days from submission of application are over : 12.10.2014.
6. Reasons for appeal:
   a) Information sought vide application dated 08.09.2014 has not been supplied till date.
   b) Grounds for appeal : No information supplied till date.

7. Last date for filing the appeal : 12.11.2014.
8. Particulars of information :
9. (a) Information sought : Copy of original application dt. 08.09.14 is enclosed.

Encl : As above.
Nagpur, dated 07.11.2014

(P.K. Choudhary)
SPECMEN FORM OF APPLICATION FOR SEEKING INFORMATION

To
The Central Public Information Officer,
Ministry of Mines,
Shastril Bhavan,
New Delhi-110001.

1. Name of the Applicant: P.K. Choudhary - P.No: C-39
2. Address: Kolbaswamy Layout, Near Nisarg Lawn, Katol Road, Nagpur-440013
3. Particulars of information -
   (a) Concerned department: Ministry of Mines, Govt. of India, New Delhi.
   (b) Particulars of information required:
   (i) Details of information required:

The following information/certified copies of the documents may please be provided:

1. Shri A.Parekar, A.Mahale, Smt. P.Shingne, Smt. K.Khote, Smt. N.Ramteke, Smt. Madne and Smt. Walke have been appointed on compassionate ground in GSI,CR, Nagpur in April, 2012 who were considered after a lapse of more than 8 to 10 years, in place of the candidates recommended by CAC in 2004 well within time limit but the said recommendations has been quashed by the Ministry of Mines, to appoint time barred candidates in their place. As per DOPT OM dt.5.5.2003 their cases sand closed after 3 years from the date of death/retirement of the concerned employee or it requires prior approval of the Secretary, Ministry of Mines and relaxation in time limit prescribed by the DOPT:OM dt.5.5.2003. Hence a copy of approval of the Secretary, Ministry of Mines, Govt. of India, New Delhi issued to Director General/DDG, GSI,CR. Nagpur to appoint above candidates granting relaxation to all the above named candidates who have been appointed in place of the candidates recommended by CAC 04 within time limit, may be provided.
2. A copy of the note sheet wherein the proposal in respect of above candidates was put up in the Ministry of Mines may also be provided.
3. Various complaints of corruption/illegal compassionate appointments in GSI, CR, Nagpur have been received in the Ministry of Mines filed by Shri Ashish Dey, Ramkali Kol, Kailash Dandge, Bhushan Lahare and Kalavati Madankar & Associations since 2012. Copies of note sheets/documents showing action taken by the Ministry of Mines on the said complaints may be provided.
4. Whether the Ministry of Mines directed the GSI, CR, Nagpur to fill up the remaining vacancies under Compassionate appointment quota pending the cases recommended twice by CAC in 2004 & once again in 2011, pending the court cases, and also pending the complaints of corruption and illegal appointments of the candidates named in Point 1 above. If yes/no the copy of the same may be provided.
5. The Ministry of Mines. quoting the DOPT OM dt. 5.5.2003, denied appointment to Shri Ashish Dey, along with others. who was recommended by the CAC in 2004 within 8 months from the date of death of his father in September, 2003. Under which Rule of DOPT the Ministry of Mines allowed the DDO & HOD, GSI,CR, to appoint Shri A. Parekar after a lapse of 10 years who was recommended after 8 years from the date of vol. retirement (2002) of his father & Shri A. Mahade appointed after 8 years, in place of Smt. Ramkali Kol who was recommended on the CAT Jabalpur orders denying approval to her case even after recommendations by CAC Twice. A copy of the same along with letter issued to the DG/DDG, GSI, CR in this regard may please be provided.
6. The Ministry of Mines vide their letter dated 1 May, 2012 directed the Director General. GSI to constitute a committee and fix the responsibility for abnormal delay in dealing with the compassionate appointment cases of CRO. Accordingly a committee headed by Shri N.N. Choudhary, Law Officer was constituted. A copy of the report of the said Committee headed by Shri N.N. Choudhary, Law Officer, submitted by DG, GSI to Ministry of Mines, along with action taken by the Ministry on the report may please be provided.

(ii) Period for which information asked for: 01.01.2011 to 30.09.2014.
(iii) Other details:
4. I state that the information sought does not fall within the exemptions contained in section 8 of the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office.
5. A fee of Rs. 10/- has been deposited in the Post office, Seminary hills, Nagpur and copy pasted on this application.

Place: Nagpur.
Dated: 08.09.2014.

(P.K. Choudhary)

(SEMINARY HILLS (440005)
UCC Evn. No: A 2007 CONN. (08/09/)
Name: PRAMOD K CHOWDHARY
Address: NEAR NISARG LAWN NAGPUR Post
Amount: 10.00
Purpose: Miscellaneous
Description: RTI
Have a nice day (13:00:07)