Government of India
Ministry of Mines

No.40(35)/2013-M.I

New Delhi, the 23rd July, 2013

To
The Chairman-cum-Managing Director
Mineral Exploration Corporation Ltd.
High Land Drive Road
Seminary Hills
Nagpur-440006


Sir,

I am directed to forward herewith RTI application received from Shri Ashwani Kumar Naidu, Nagpur seeking information as to whether any provision of grant of wage arrears have been made while sanctioning financial restructuring of Mineral Exploration Corporation Ltd. under the order dated 8.8.2006. In this connection, the applicant was informed vide letter dated 24.6.2013 (copy enclosed) that Ministry’s letter No.40/1/2004-MI(Vol.II) dated 8.8.2006 and 17.8.2006 are self explanatory. The applicant has now filed an appeal (copy enclosed) under Section 19 of the Right to Information Act, 2005 against the above reply of the Ministry dated 24.6.2013.

2. The matter has been examined. It is noticed that the applicant has given reference of several MECL letters in this connection. Besides MECL is the repository of all such issues. MECL is, therefore, requested that a suitable reply may kindly be given to the applicant to the above RTI application under intimation to this Ministry within the stipulated time limit.

Yours faithfully,

(S.B.Doval)
Dy. Secretary and Appellate Authority
Tel.: No.23384593

Encl. as above

Copy to:

1. Shri Ashwani Kumar Naidu, Flat No.303-304, 3rd floor, Arihant Apartment, 15 New Colony, Nagpur-440 001 w.r.t Appeal dated 4.7.2013 received in this Ministry on 9.7.2013.
2. PI Cell for information. Copy of the Appeal dated 4.7.2013 is enclosed herewith.

(S.B.Doval)
Dy. Secretary and Appellate Authority
From ASHWANI KUMAR NAIDU,
FLAT NO.:303, 304, 3rd Floor
ARIHANT APARTMENT, 15, NEW COLONY
NAGPUR-440 001

To,
Shri S.B.Dorval,
Dy, Secretary to the Govt. of India &
APPELLATE AUTHORITY UNDER THE RTI ACT, 2005,
Ministry of Mines, Shastri Bhavan, Room No. 315, D Wing,
NEW DELHI-110 015.

Sub: **APPEAL UNDER SECTION 19 OF THE RIGHT TO INFORMATION Act, 2005**
AGAINST THE ORDER/REPLY DATED 20.06.2013 OF THE CPIO, MINISTRY OF
MINES, NEW DELHI.

Dear Sirs,

I am submitting this Appeal under the RTI Act, 2005, against the order/reply dated 24.06.2013 (Annexure - I) of the CPIO, Ministry of Mines, New Delhi, which is in response to my Application dated 28.05.2013, requesting therein certain information, under the provisions of the RTI Act, 2005, which is enclosed as (Annexure - II).

Since the reply given by CPIO is completely misleading, and has mala fide denied the request for information and has further knowingly given incorrect information, being a responsible and important Government functionary, I am aggrieved with the reply of the CPIO. Hence I am filing this Appeal, with the kind request to give the requisite information requested in my Application.

Thanking you.

NAGPUR, Dated 30.06.2013

Yours faithfully

(ASHWANI KUMAR NAIDU)

Copy forwarded to the Chief Information Commissioner, CIC, 2nd Floor, August Kranti Maidan Building, Bhikaji Cama, New Delhi-110066, together with Annexure I & II, for kind perusal. And on perusal, it may kindly be seen that there is complete failure on the part of the CPIO in giving information, which is misleading, mala fide denied information and has further knowingly given incorrect information. Hence this Endorsement may kindly be treated as Complaint, under section 20 of the RTI Act, 2005, pending disposal; of my Appeal, referred to above and may kindly be dealt in accordance with law.

[Signature]
BY SPEED POST

To
The Central Public Information Officer,
Government of India, Ministry of Mines,
Shashtri Bhavan,
New Delhi -110115

Sub: Application u/s 6 of the Right to Information Act for necessary information in respect of

1. Full Name of Applicant : ASHWANI KUMAR NAIDU

2. Residential Address : Flat No. 303-304, 3rd Floor,
           Arhant Apartment, 15 New Colony
           Nagpur - 440 001

3. Particulars of information required

Kindly supply me following information:-
While granting Voluntary Retirement Scheme to its employees, Mineral Exploration Corporation Ltd., which is a Public Sector undertaking functioning under the Administrative Control of Ministry of Mines.
Whether Ministry of Mines had made provision of grant of Wage Revision Arrears (for the period from 1.1.92, 1.1.97 and from 1.1.97 to 31.3.2007 upto 2003) while sanctioning/approving financial restructuring of Mineral Exploration Corporation Ltd. under the order dated 08/08/2006 because Mineral Explotation Corporation Ltd. had committed that Mineral Explotation Corporation Ltd. shall pay arrears of Wage Revision on opting Voluntary Retirement Scheme vide Circulars No.(1)E(52)/IR/98/4497 DT. 27/09/1999 (2) Circular No. E(52)/IR/98/1353 dated 03/04 March 2000 (3)E(52)/IR/2000/290 DATED 9th/10th Jan 2001 and (4) Govt. of India, Min. of Mines letter No. 40(1)/2004M.I.(Vol.III) dated 08/08/2006 (copy of above circulars are enclosed)

BY Registered post A.D.

4. Whether the information is required by post or in person

5. purpose for which the information is required

That the applicant has requested for payment of Wage Revision arrears of 1992 and 1997 and arrears of terminal benefits arising out of Wage Revision, still remaining unpaid, hence this request.

Application fees of Rs. 10/- vide IPO No. 09F- 629874 is enclosed.

NAGPUR:

DATE: 81-7-13

Yours faithfully

[Signature]

(ASHWANI KUMAR NAIDU)
Ex. Employee
To

Shri Ashwani Kumar Naidu,
Flat No.303-304, 3rd Floor,
Arihant Apartment, 15 New Colony
Nagpur-440 001

Subject:- Application seeking information under RTI Act, 2005.

Sir,

I am directed to refer to your RTI application dated 28.5.2013 seeking information as to whether any provision of grant of wage revision arrears have been made while sanctioning financial restructuring of Mineral Exploration Corporation Ltd. under the order dated 8.8.2006.

2. In this connection, it is to inform you that this Ministry’s letters No.40/1/2004-M(Rec.Vol.III) dated 8.8.2006 and 17.8.2006 are self-explanatory.

3. If you are not satisfied with the reply of this Ministry, you may file an appeal before the Appellate Authority (Shri S.B. Doval, Dy. Secretary, Ministry of Mines, Room No.315, D-Wing, Shastri Bhawan, New Delhi) within a period of 30 days from the date of receipt of this letter.

Yours faithfully,

(Rashmi Sehgal)
Section Officer & CPIO

Encl:- a.a.

Copy to:


(Rashmi Sehgal)
Section Officer & CPIO