Public Authority: Department of Electronics & Information Technology
Role : Appellate Authority **User :** Roop Kishor (Pers.3)

Note : Fields marked with are Mandatory.(नोट : से चिन्हित फील्ड अनिवार्य है)

Registration Number :	DITEC/A/E/22/00069View RTI Request Details View Appeal Details
Appeal is received by:	Online Receipt
Date of Receipt :	29/04/2022
Name / Gender:	
Address:	
Mobile Number / Email-ID:	
State / Country:	
RTI Request Registration No:	DITEC/R/E/22/00315
RTI Request Registration Dt.:	23/03/2022
Appeal Letter No. :	Details not provided
Appeal Letter Date:	Details not provided
Citizenship Status:	Indian
Is Appellant Bellow Poverty Line	No
Does it concern the life or Liberty of a Person?	Details not provided.
Name of CPIO :	
CPIO's Order/Decision No.:	Details not provided
Date of Receipt of CPIO's Order/Decision:	Details not provided
Ground for Appeal:	Refused access to Information Requested
Prayer or Relief Sought:	The details of RTI appeal are in a dcoument uploaded as supporting document.

ACTION HISTORY OF RTI REQUEST No.DITEC/R/E/22/00315

Applicant Name	
Text of Application	The details of RTI application are in a document uploaded as supporting document
Reply of Application	Reply sent to the applicant vide letter no. 14(1)/2020-P.III dated 22.04.2022

SN	Action Taken	Date of Action	Action Taken By	Remarks
1.	RTI REQUEST RECEIVED	23/03/2022	Nodal Officer	
2.	REQUEST FORWARDED TO CPIO	23/03/2022	Nodal Officer	Forwarded To :
3.	REQUEST DISPOSED OF	29/04/2022		

IDC first A. P-T-O.

29.4.2022

To

Shri Roop Kishor

Director & First Appellate Authority, P.III section

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/22/00315 dated 23.03.2022 seeking following information:

a. *DOPT I.D. note containing the advice given to MeitY in response to MeitY I.D. Note No. 2(9)/2021-P.III dated 16.03.2022 to DOPT .*

2. I received communication from CPIO, P.III section , MeitY bearing no.14(1)/2020-PIII dated 22.04.2022 mentioning that the information available is not available in the ministry.

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

a. *MeitY I.D. Note No. 2(9)/2021-P.III dated 16.03.2022 to DOPT . is* MeitY Joit Secretary's vide I.D. Note on the subject " *Implementation of the judgement of the Hon'ble Supreme Court in the Civil Appeal No. 6359/2016 and other tagged matters – Revision of policies /guidelines under FCS/MFCS* " has requested Shri Satyajit Mishra , Joint Secretary , DOPT to examine the matter taking into account the facts brought out in this ID note and advise MeitY on the way forward on the Order dated 27.09.2013 of the Hon'ble Tribunal for the Scientists other than petitioners.

The para 5 of this MeitY ID note mentions that there has been an instance where an employee of an autonomous body of MeitY has approached the National Commission for Scheduled Castes (NCSC) seeking the benefit of antedated promotion. The applicant is petitioner in this case at NCSC and DOPT as MeitY are parties in this case.

NCSC during the hearing on 19.04.2022 has directed MeitY to send reminder to DOPT to expedite the matter of DOPT advising MeitY on the way forward on the order dated 27.09.2013 of the Hon'ble Tribunal for the Scientists other than petitioners as requested in MeitY I.D. Note No. 2(9)/2021-P.III Dated 16.03.2022 in view of the Supreme Court order dated 25.08.2021 in case of Civil Appeal 6359 of 2016 and other tagged matters and MeitY deciding to implement the order of Supreme Court after Solicitor General of India advised MeitY that it is not fit case to file review petition.

b. 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.

c. 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.

d. 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.

e. 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.

f. By the time this appeal is disposed of by Appellate Authority, MeitY would have received reply from DOPT to it's MeitY I.D. Note No. 2(9)/2021-P.III dated 16.03.2022 to DOPT .

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,