

CENTRAL INFORMATION COMMISSION
Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.
Tel: +91-11-26161796

Decision No. CIC/AD/A/2011/01181/SG/14435
Appeal No. CIC/AD/A/2011/01181/SG

Appellant : Mr. Vijay Narayana Rai,
Diesel Engine Driver,
B-2 Aakashwani Colony,
Jai Narayana Vyas Nagar
Sector-5, Bikaner, Rajasthan

Respondent : Mr. Neh Srivastava
CPIO & Dy. Director (Admin)
Information & Broadcast Ministry
Directorate General All India Radio
Room no. 218, Akashvani Bhawan,
New Delhi

RTI application filed on : 22/02/2010
Postal Order Submitted Date : 09/03/2010
PIO replied : 26/04/2010
First Appeal filed on : 01/06/2010
First Appellate Authority order : 04/06/2010
Second Appeal filed on : 17/08/2010

Information sought:

Query No 1&2: Why the post of Diesel Technician was filled directly in 1983(Jaipur), 1978(Allahabad), 1993 (Badmer & Rampur & Suratgarh) and did Department ever done recruitment of Senior Technician & Senior Engineering Assistant.

Query No3: It was asked by the appellant that whether in the north region all the Diesel Engine Drivers and Diesel Technicians are qualified(Educationally as well as technically) according to Aakashwani Recruitment Manual.

Query No4&5: It was sought that why Shri Narayan Das Purohit was recruited despite of being Ninth pass and Nil technical qualification and Despite being qualified why the Appellant not given the pay scale of Diesel Technician and performing the same duties of a technician since 16 years.

Reply of PIO:

Regarding Query Nos 1&2 the CPIO asserted that responsibility of CPIO is to provide information and not the clarification.

Query No 3 No information was asked.

Query No 4 & 5 Doesn't Comes under RTI Act, 2005

Grounds for First Appeal:

The information sought by the Appellant was denied and claimed 'a clarification' sought by Appellant but was information only, as per best belief of Appellant.

Order of the First Appellate Authority:

The CPIO was directed to provide the desired Information.

Grounds for Second Appeal:

- No information Received.
- The Appellant seeks action against the responsible officers involved.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Mr. Vijay Narayana Rai on video conference from NIC-Bikaner Studio;

Respondent: Mr. Neh Srivastava, CPIO & Dy. Director (Admin);

The PIO has given information available as per records but he is now directed to give the following additional information to the Appellant:

- 1- The Appellant states that he was granted an ACP on 17/04/2007 but it had never been implemented. The PIO is directed to provide any information on record by way of file notings, communications or letter giving reasons for not implementing the ACP. If there are no reasons on record this must be stated.
- 2- If there is any record giving the reasons for sanctioning the direct recruitment of Diesel Engine Drivers this will be provided. If there is no such communication this will be stated.

Decision:

The Appeal is allowed.

The PIO is directed to provide the information as directed above to the appellant before 20 September 2011.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
06 September 2011

(In any correspondence on this decision, mention the complete decision number.)(DIS)