

CENTRAL INFORMATION COMMISSION
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Decision No. CIC/SG/A/2011/002134/15619
Appeal No. CIC/SG/A/2011/002134

Relevant facts emerging from the Appeal:

Appellant : Mr. Veer Sain,
C/o Deepak Saini,
1344, Barkat Nagar, Near Govinddev Temple,
Jaipur – 302015, Rajasthan.

Respondent : Mr. Ashok Joshi
PIO & General Manager
Reserve Bank of India,
Department of Administration &
Personnel Management, Central Office,
Amar Building, P.M. Marg, Mumbai -400001.

RTI application filed on : 27-03-2011
PIO replied on : 29-04-2011
First Appeal filed on : 10-05-2011
First Appellate Authority order of : Not ordered
Second Appeal received on : 07-07-2011

Information sought: the appellant asked regarding

Sl.	Information sought.	The PIO reply.
1.	I observe from the information furnished under application RTI 2639/2010-11 that the sanctioned post for officers in class I as on June 30, 2010 was 7217 while the working strength was 8981 .Thus the working strength was more by 1764 compared to the sanctioned strength. Please provide me the copies of the internal process notes through which the authorization for recruitment/postings beyond sanctioned strength in different cadres of officers have been accorded.	We shall revert to you shortly.
2.	Please inform me and provide me the copy of delegation of power / instruction! any other paper which lays down the procedure for sanction of post of officers, recruiting officers beyond sanctioned strength and empowering changes in the promotion policy for officers from one cadre to the other higher cadre.	We shall revert to you shortly.
3.	Please provide me copies of the bills paid in regard to other charges, hotel, conveyance and lunch/dinner for the central board meetings held at Gangtok. Bengaluru and Chandigarh on October 01, 2009, May 14, 2009 and October 15, 2010 respectively.	The copies of the bills are about 300 pages. If you want to obtain copies these documents, you may please arrange to pay an amount of Rupees six hundred only (pages 300 x 2/-) by way of cash, or Demand Draft / Indian. Postal Order/ Bankers Cheque issued in favour of the Reserve Bank of India payable at

		Mumbai.
4.	Please provide the names and designation of officers of RBI in addition to ED, CGM & Secretary, Secretary's Department who went on tour to Gangtok and Chandigarh and stayed there during the central board meeting stated in query 3.	The relative information is furnished in the page 1 of the enclosures of this letter.
5.	Please provide me the policy/circular/instruction in regard to the number of officers of RBI who go on tour to the place where central board meeting is held in connection with it in addition to the officials who attend the central board meeting.	<p>There is no policy circular/ instruction in regard to the number of officers of the Reserve Bank of India who go on tour to the place where Central Board meeting to make necessary arrangements;</p> <p>a) General Manager b) Deputy General Manager/Assistant General Manager in charge Board Division c) Two officers in grade A/B of Board Division d) Head Office Attendant * e) Deputy General Manager (Protocol. & Security) * to places other than four metropolitan cities.</p> <p>In view of presence of entire Senior management of the Reserve Bank at that centre, other meetings are also arranged on the sideline of Central Board meeting. These normally include, meeting of the Board for Financial Supervision, meeting with State Government officials and local bankers, meeting with local RBI officers and press briefing. Depending on the requirement officers from the Central Office undertake the tour with the approval of concerned authority.</p>
6.	A copy of the process note wherein approval was accorded to grant in principle approval to CIBIL to set up a credit information company in April 2009.	A copy of the minutes of the third meeting of high level advisory committee constituted for carrying out screening of applications received for commencing I carrying on business of credit information is enclosed after severing the third party information under section 10(1) of the Right to Information Act, 2005 which are. received in fiduciary capacity exempt from disclosure under Section 8(1) (e) and 8(1)(0) of the Right to Information Act, 2005(extract enclosed) (page 5).
7.	A copy of the interdepartmental reference as referred in the reply given to query no 24 by DBOD vide their letter dated Feb 15, 2011 under RIA 2639/2010-11 may please be provided.	A copy of the office note dated November
8.	Please provide me the list of occupants of the 85/90/80 rooms of the hotel on 18/19/20-11 of Nov 2010 respectively, for the senior	Actual occupation position was as under 18.11.2010 83 rooms 19.11.2010 88 rooms

	management retreat 2010.	20.11.2010 54 rooms List enclosed. (page 18.) The list of occupants also includes officials who were in Goa in connection With outreach programme organized by the Reserve Bank and support staff.
9.	What is the eligible amount for officers, grade wise, towards hotel charges while on tour — including Governor, Deputy Governor, Executive Directors and other senior officers — at Goa as per the existing instruction of the Bank.	Executive Director, while on tour, is eligible for the actual cost of hotel charges. As regards the said information for officers grade wise, (see page 21) The eligibility for Governor and Deputy Governors while on Domestic Tour accommodation in single air-conditioned room in a Five Star Hotel is provided. However, if such accommodation is not available, a double bedded room or suite can be booked. There is no monetary ceiling. Foreign Tour - In case no hospitality Is provided all inclusive US \$ 500/- per diem for accommodationl food/conveyance. If lodging is provided by the host organization: US\$250/- per diem If lodging and boarding is Provided by the host organization: US\$100/- per diem for incidental expenses.
10.	As per my information downloaded from internet on Jan 27, 2011, the Lalit Goa Resort was charging Rs 7777/- for garden view rooms, Rs 8999/- for sea view rooms and Rs 12 999/- for king bedroom Luxury suite for three persons per room and 12% tax for individual booking. In ease of group booking the discount for corporate booking could have saved some more amount from the above tariff. Please advise me whether the hotel charged uniform rates for all the above three types of rooms Rs 11,500/- per room excluding taxes.	The hotel charged uniform tariff of Rs. 11,500/- per room for all types of. rooms, (plus taxes) (single occupancy) and Rs.20,000/--(plus taxes) for suites (single occupancy).
11.	Please provide me a copy of the paid bill submitted by The Lalit Goa Resort.	A copy of the bill enclosed (page 22).
12.	Please provide me a copy of letter sent by RBI to obtain the tariffs offered by The Lalit Goa Resort. Taj, Park Hyatt, Leela and a copy of the process note through which it was decided to accept the offer made by the Lalit Goa Resort on a competitive basis. Whether rates from any other hotel owned by Govt of Goa was obtained. Whether any advertisement was made for the above purpose enabling eligible hotels to participate in the process of selection and in the end of transparency. Copies of the relevant provisions of banking department manual as contained in para 6.6 of Reserve Bank of India	The query was made over telephone. Copy of the note recorded was provided to the appellant. (page 23).

	Expenditure Rules 2009.	
13.	Please provide me a copy of the existing rules/instruction/circular prescribing the procedure to finalize such type of expenditure and finalize the hotel/other agency on behalf of the bank.	There are no laid down guidelines! Rules/circulars on the subject available with us.
14.	Please advise since which year the Regional Director's Conference! Senior Management retreat has started. Please provide me a copy of the approval note for the same for the first year.	As per the available records, Regional Directors' Conference started from .me year 1999. Copies of the noting dated March 12, 1998 and June 21, 1999 are Provided (page 27).
15.	Please provide me a legible copy of the paid bill received from Radison Resort & Spa at Alibaug near Mumbai. Please provide the number of rooms booked date wise from 19 to 22 Nov 2009.	A copy of bill enclosed (page 25). Number of rooms booked date wise is as under: 19.11.2009 - 84 20.11.2009 - 85 21.11.2009 - 180
16.	As per the Governor's speech in the Retreat 2009, the Retreat was to identify "ten things" for being implemented in next 6 months. Please provide me the list and the status of implementation of the same.	We shall revert to you shortly.
17.	The copy of note dated Feb 05, 2010, July 20, 2010 and DC's committee dated March 04, 2010 nowhere stated that all the GMs of HRDD and DAPM and CGM DICGC will participate in the Retreat. Please provide me a copy of the note where approval has been given to invite all GMs of DAPM and HRDD and CGM, DICGC to the Retreat.	It has been (he tradition to invite Chief General Manager of Deposit Insurance and Credit Guarantee Corporation. General Managers Of the host departments viz.Human Resources Development Department have also been attending the conference.
18.	Please provide me year wise recruitment of number of officers in grade A through promotion from clerical cadre locally, merit list and direct recruitment test from 1985 onwards.	The year wise recruitment of officers in Grade 'A' (general) through direct recruitment test from 1985 is enclosed. The data regarding promotion from Class. Ill to officers in Grade 'N' under qualifying Channel and Merit channel from 1984 – 85 was provided.
19.	Please provide the number of officers recruited in grade B through promotion, merit list and direct recruitment since 1985.	The year wise recruitment of officers in Grade 'B' (general) through direct recruitment test from 1985 is enclosed. The data regarding promotion from Grade 'A' to officers in Grade 'B' under qualifying Channel FROM 1984 and Qualifying and Merit channel from 1996 was provided.
20.	Who is competent to change the quota among these modes of recruitment under the bank's delegation of authority, rule/instruction? Please provide me a copy of such delegation of power/rule/instructions and any change therein since 1985.	We shall revert to you shortly.
21.	Whether concurrent auditors have raised any objection or reported any in the bills passed from Senior Management Retreats of 2009 and 2010. Central Board meetings held at different places during past two years. payment made for	We shall revert to you shortly.

	purchase of gold coins for the Platinum Jubilee year? If so, please provide the copies of the relevant portion of the auditors' report	
22.	Whether in keeping with the spirit of the expenditure rules to strive for economy of expenditure when such event are organized group bookings of air tickets are made well in advance, particularity in this case when about 40 officers have to leave from Mumbai to avail substantial concession.	Air tickets are booked by the individual departments by debit to their "charges a/c". Hence group bookings are not done.
23.	Please provide us a copy of the circular which enumerates the entitlement of Governor, Deputy Governor and ED, While tour at different category of places towards hotel charges, halting allowance and other charge and in case where boarding is provided free.	Please refer to the reply to the query number 9. There is no circular for Governor and Deputy Governors. A copy of "Rules Governing Reimbursement of Traveling and Halting etc. Allowances and sitting Fees to Non-official Directors* of the Central Board of Reserve Bank of India for attending the meetings of the Central Board" s enclosed at page. 3 of the. Had provided.. * As Governor and Deputy Governors are Directors of the Central Board, same rules are applicable to them. Halting allowance - Domestic Tour -(page 6). Foreign Tour -
24.	Please advise me the exact number of gold coins purchased during the Platinum Jubilee events, distributed to existing staff, retired staff, any other persons upto March 25, 2011. How many coins are left the Bank? How the bank is going to use these coins?	Exact number of gold coins purchased. during the Platinum Jubilee event was 37,900 As on 30 June 2010 35,073 gold coins have been distributed to the existing and retired staff. The break up is not available with us. The information as on March 25, 2011 is not available with us.
25.	Please advise why there is wide variation in the amount of airfares claimed by Governor, Deputy Governors for the Goa Retreat of 2010. Whether these tickets were purchased by the Bank or the officers themselves? Whether these tickets are single tickets or these include the fare for spouses as well. Who footed the bill for airfare of DG Dr Subir V Gokarn for the said tour?	We shall revert to you shortly.

Grounds for the First Appeal:

The appellants are not satisfied with the PIO reply.

Order of the First Appellate Authority (FAA):

No order was passed by the FAA.

Ground of the Second Appeal:

The appellants are not satisfied with the PIO reply & no order was passed by FAA.

Query 1- Process note not given.

Query 2- No recruitment can take place without sanction of post.

Query 3- Complete hotel bills of Mayfair not given.

Query 9- Specific information not provided.

Query 11- Complete bill not provided.
Query 13- Guidelines not given.
Query 14- approval note for first year not given.
Query-15: Radison resort bill not given.
Query-17: Approval note not given.
Query-18: Information not provided.

Relevant Facts emerging during Hearing:

The following were present

Appellant : Mr. Veer Sain on video conference from NIC-Jaipur Studio;

Respondent : Ms. Jonaki Sail, Dy. Legal Advisor on behalf of Mr. Ashok Joshi, PIO & General Manager on video conference from NIC-Mumbai City Studio;

The respondent states that the available process note has been given to the Appellant with respect to query 1 & 2 and that there is no other process note available. With respect to query 3, 11 & 15 the respondent states that there are no other bills available. The respondent again reiterates that the approval note sought in query-17 does not exist and that there is no such practice of getting approval notes. The Appellant has paid Rs.600/- as additional fee but has not received the information within 30 days as specified in the RTI Act. The PIO has sent a letter on the 30th day asking for additional fee. After the payment of the additional fee the PIO was not able to provide the information in zero days. In view of this the PIO is directed to refund the amount taken from the Appellant as additional fee.

Decision:

The Appeal is allowed.

The information has been provided to the Appellant as per available records.

The Commission directs the PIO to refund Rs.600/- taken from the Appellant as additional fee before 30 December 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
11 November 2011

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