

5

भारत सरकार/ Government of India
अंतरिक्ष विभाग / Department of Space
विक्रम साराभाई अंतरिक्ष केंद्र/VIKRAM SARABHAI SPACE CENTRE

सूचना का अधिकार अधिनियम, 2005 के अंतर्गत

प्रथम अपीलिय प्राधिकारी की कार्यवाही

PROCEEDINGS OF THE FIRST APPELLATE AUTHORITY UNDER THE
RIGHT TO INFORMATION ACT, 2005
Appeal No 02/2020 (File No.VSSC/RTI/7-2191)

अपीलकर्ता का नाम/
Name of Appellant

Shri CN Chandrasekharan Nair
Chandrakantham, 14 CSM Nagar
Edappazhanji, Sasthamangalam PO
Thiruvananthapuram-10

प्रतिवादी का नाम/
Name of Respondent

Anil Kumar B
Sr. Head, PGA/CPIO
VSSC

1. Background

Shri Chandrasekharan Nair, Chandrakantham, 14-CSM Nagar, Edappazhanji, Sasthamangalam PO, Trivandrum-10 vide application dated 15.11.2019 had sought a copy of the evaluation report on the Pension Adalat conducted at VSSC on 23.08.2019 prepared/sent in accordance with Para 9.3 of the "Guidelines for conducting Pension Adalats" as contained in the DP&PW OM No.44013/2-2010-(coord) dated 25/26.03.2011. After gathering relevant information from the custodian of records, CPIO vide letter dated 30.12.2019 informed the appellant that the applicant had not attended the Pension Adalat conducted by VSSC on 23.08.2019. Therefore, the copy of the report of the Pension Adalat held at VSSC on 23.08.2019 could not be provided to the applicant. Aggrieved by the decision of CPIO, the appellant has filed a first appeal dated 29.01.2020 before the First Appellate Authority.

2. Prayers in the appeal

The appellant alleged that CPIO has not provided the information sought by him in his RTI application. The sought information is coming under the definition of information in par with the section 2(f) of the RTI Act, 2005 and the same is not an exempted document under section 8 of RTI Act, 2005.

3. निर्णय/DECISION

On perusal of the records brought before me, it is observed that the appellant has asked for a copy of the evaluation report on the Pension Adalat conducted at VSSC on 23.08.2019 prepared/sent in accordance with Para 9.3 of the "Guidelines for conducting Pension Adalats" as per DP&PW OM No.44013/2-2010-(coord) dated 25/26.03.2011. On perusal of the records, it is observed that VSSC has not sent any such report to DP&PW in connection with the Pension

Contd...2/-

Adalat conducted in VSSC on 23.08.2019. However, VSSC has sent a report of the Pension Adalat conducted in VSSC on 23.08.2019 to DOS for consolidation and onward transmission to DP&PW. The report contains the grievances raised by other pensioners and the decision taken thereon by the Department. The appellant was not even a participant of the Pension Adalat. The name, address and grievance details of the pensioners in the report being third party information the same could not be divulged to the appellant and disseminating the information may bring unwanted invasion to the privacy of the individuals.

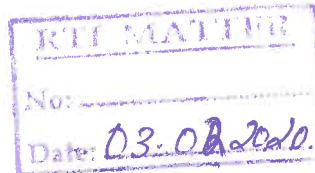
4. A second appeal against this decision lies with the the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067, within ninety days from the date on which this decision is received.
5. This Appeal is disposed of at Thiruvananthapuram on the 12th day of May, 2020.

(डॉ. बिजुजेकब/Dr. Biju Jacob)

प्रथमअपीलीयप्राधिकारी /First Appellate Authority/
मुख्यनियंत्रक/Chief Controller

To

1. Shri CN Chandrasekharan Nair
Chandrakantham, 14 CSM Nagar
Edappazhanji, Sasthamangalam PO
Thiruvananthapuram-10
2. CPIO, VSSC/IISU



By SPEED POST



From

C.N.Chandrasekharan Nair
Chandrakantham
14- C S M Nagar, Edappazhanji,
Sasthamangalam,P.O.
Trivandrum – 695 010

To

Dr. Biju Jacob,
Chief Controller, V S S C
First Appellate Authority, R T I
I.S.R O. Post,
Trivandrum – 695 022

APPEAL U/S 19(1) OF THE R T I ACT, 2005

FIRST APPEAL ON DENIAL OF INFORMATION SOUGHT UNDER RTI ACT, 2005

Ref: 1. RTI Application dated 15 11 2019(copy in Page 3) sent to A P I O, VSSC by
Speed Post on 15 11 2019 from Sasthamangalam local P O (695 010)

2. Lr. No. VSSC/RTI/7-2191 dated 30 12 2019 from Sr. Head, PGA, VSSC/
CPIO, VSSC(Booked on 02 01 2020 under BNPL and delivered on 04 01
2020 (copy in Page 4)

INFORMATION REQUESTED IN APPLICATION

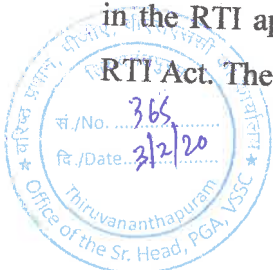
The application for information under the RTI Act, 2005 (P.3) requested for “ a copy
of Evaluation Report on the PENSION ADALAT, conducted at VSSC on 23 08 2019,
prepared/ sent in accordance with Para 9.3 of the “GUIDELINES FOR CONDUCTING
PENSION ADALATS”, contained in the DP&PW OM No.44013/2-2010-Coord dated
25/26 03 2011 from K.S. Chibb, Director(P)”.

INFORMATION PROVIDED

Against the above specific request, the “Information provided” by the CPIO
(Page4) was that “ the applicant was not a party in the Pension Adalat conducted by VSSC
on 23.08.2019 . Therefore, copy of the report of the Pension Adalat held at VSSC on
23.08.2019 is not disseminated to the applicant”. Thus the information sought in my
application was not supplied, stating an irrelevant reason, and this decision of the “ custodian
of records” was just endorsed by the CPIO!!

APPEAL

This Appeal is on the denial of information by the CPIO, with an irrelevant
observation. The CPIO is bound to provide the information held by the public authority, and
instead of discharging his obligatory duty of disseminating the information held by him,
conveyed the “decision” of custodian of information, thereby denying the information sought
in the RTI application. The information sought is well within the definition u/s 2(f) of the
RTI Act. The reason attributed has absolutely no relevance at all as the sought information is



Page 1/2

not exempted from disclosure u/s 8 (1) and 9 of the RTI Act, and "no other exemptions can be claimed while rejecting a demand for disclosure as the RTI Act is premised on disclosure being the norm, and refusal, the exception". The Guidelines of Govt. of India on Pension Adalat that I referred in the Application also do not (and legally cannot) prohibit the dissemination of any information on the Adalat; but stated "the aim of Adalat is to promote credibility", and the action of the CPIO is quite contrary to this policy of Govt.

The CPIO may please be therefore advised to act in accordance with the RTI Act, and provide the information, sought in the application, as expected of him u/s 7 of the RTI Act. It is also regrettably pointed out that the CPIO did not respond to this request within the stipulated period "as expeditiously as possible" u/s 7 (1) of the RTI Act.

Certified that all that are stated above are true and correct.

Trivandrum.

29 01 2020



C.N. Chandrasekharan Nair

Applicant of RTI Information

Encl: As given in the Reference above

To

R Head PRA

1. Please ^{inform} ~~check~~ the rule provision in RTI which supports ~~the~~ ~~one~~ stand that 'information cannot be disseminated because the ~~party~~ applicant' is not a party in pension adalat.
2. I think we should ~~provide~~ ^{send} the information - Please direct

On
31/10/2019

13

By Speed Post

13

APPLICATION FOR INFORMATION UNDER THE RIGHT TO INFORMATION ACT, 2005

From

C.N. Chandrasekharan Nair
Chandrantham
14 - C.S.M. Nagar
Edappazhanji, Sasthamangalam, P.O.
Trivandrum -10, PIN: 695 010, Kerala

To

Assistant Public Information Officer
Vikram Sarabhai Space Centre
I. S. R. O. Post
Trivandrum 695 022

Particulars of Information required

As given below/as in attached sheet(s)

A copy of the Evaluation Report on the
PENSION ADALAT, conducted at VSSC on 23/08/2019,
prepared/sent in accordance with Para 9.3 of the
'GUIDELINES FOR CONDUCTING PENSION ADALATS',
contained in the DP2-PW OM.No. 44013/2-2010-Coord
dated 25/26 03 2011 from K.S. Chibb, Director (P).

SP 15-11-2019
695 01
DL135805721IN IVR:6976135805721
SP SASTHAMANGALAM SO (695010)
Counter No:1,15/11/2019,11136
To:ASST.PUBLIC I,ISSRO
PIN:695022, Thiruvananthapuram ISRO SO
From:CN CHANDRAS,CSM NAGAR
Wt:15gms
Amt:17.70(Cash)/Tax:2.70
(Track on www.indiapost.gov.in)
(Dial 1800 266 6868)

Preferred medium

print / photocopy / soft copy

Details of fee remitted

Attached Postal Order for Rs.10/- Demand Draft/
Bankers cheque/Court Fee Stamp for Rs.1/-
N633 F 597415

Date: 15/11/2019

Signature of Applicant

C.N. Chandrasekharan Nair

दस्तावेज नष्ट न हो सके इसके बिना कसूर दायर न हो सके दहा रुपये का दस्तावेज दहा रुपये का दस्तावेज



डाक महानिदेशक DIRECTOR GENERAL OF POSTS.

PAY TO Accounts Officer
Vikram Sarabhai Space Centre को

दस रुपये की रकम THE SUM OF RUPEES TEN ONLY



AT THE POST OFFICE AT

के डाकघर में अदा करें।

कमीशन COMMISSION रुपये 1 RUPEE
प्रेषक अपना नाम और पता यहाँ लिख दें।
SENDER MAY FILL IN HIS NAME AND ADDRESS HERE

C.N. Chandrasekharan Nair
14 - C.S.M. Nagar
Trivandrum 695010

पोस्ट मास्टर POSTMASTER

इस लाइन के नीचे मत लिखिए DO NOT WRITE BELOW THIS LINE

33F 597415