No.40-43/2014-SEA-II

Government of India

Ministry of Communications & IT

Department of Telecommunications

521 Sanchar Bhawan, 20, Ashoka Road

New Delhi-110001

Dated: - 4 June 2015

Sub: Appeal of Sh. Ram Kumar dated 25.03.2015 under RTI Act-2005.

This is in reference to the first appeal No.E-5/Harrassment/injustice & discriminatory treatment/15 dated 25.03.2015 received from Sh. Ram Kumar dated 15.04.15 (under RTI Act – 2005, received on 27.04.15 against RTI reply vide No.40-43/2014-SEA-II dated 05.01.2015 of CPIO) wherein, he is not satisfied with information supplied to him in respect of point 03 of his RTI application dated 30.12.14.

In this connection, it is stated that undersigned being the Appellate Authority w.r.t. the information provided by Sh. Rajeev Kandpal, CPIO/Director(SEA) in the matter, has examined the issue. Based on the facts of the case I hereby decide the matter as under:-

1. The pay scales to the various grades in Central Government are granted by Ministry of Finance, GOI on the recommendation of Pay Commission. As such most of the information sought by the Applicant would not be available with the CPIO. However, the CPIO is directed to provide the information as sought for by the applicant, if the information is available with him. If it is not available, case may be transferred to CPIO concerned under Section 6(3) of the RTI Act.
2. Compliance of this order be ensured wihin 3 days of receipt.
3. The Appeal is hereby disposed off.
4. In case the applicant is not satified with the reply he may prefer the second appeal before the CIC, O/o CIC, Club building, Old JNU Complex, New Delhi-67.

3/6/15

(Saurabh Kumar Tiwari)

DDG(E&F) & FAA

Sh. Rajeev Kandpal
Director(SEA) & CPIO
DOT(HQ).

Copy to :-

1. Director (Staff) & CPIO, 505, Sanchar Bhavan, DOT(HQ).
2. Sh. Ram Kumar, 33/104, Mansarovar, Jaipur -302020.
3. AO(SEA-I) for information.
4. Guard file.

No 40-43/2014-SEA-II
Government of India
Ministry of Communication & IT
Department of Telecommunication
Sanchar Bhawan, Ashoka Road,
New Delhi-110001

Dated: 08-06-2015

To

The Deputy Secretary (RTI),
Department of Expenditure,
Ministry of Finance,
Government of India,
North Block, New Delhi-110001.

Subject: -Transfer of RTI application of Sh. Ram Kumar under Section 6(3) of RTI Act, 2005 -reg.

Sir,

In compliance of directions of Appellate authority issued vide order No: 40-43/2014-SEA-II dt: 04-06-2015, the RTI application of Sh. Ram Kumar, R/O 33/104, Mansarovar, Jaipur-302020 is transferred herewith under Section 6(3) of the RTI Act, 2005 for supply of information sought by the applicant in point No-3 of the application dt: 03-11-2014 .

Encl: As above

(Rajeev Kandpal)
Director (SEA) & CPIO
Ph No: 23036728

Copy to:-

(1) Sh.Ram Kumar, 33/104, Mansarovar, Jaipur-302020.
(2) Sh. S.K Tiwari, DDG (E&F) & FAA, for information please.
(3) AO (SEA-I), DoT HQ.

No.40-43/2014-SEA-II
Government of India
Ministry of Communications & IT
Department of Telecommunications
521 Sanchar Bhawan, 20, Ashoka Road
New Delhi-110001

Dated: - May 2015

Sub: Appeal of Sh. Ram Kumar dated 25.03.2015 under RTI Act-2005.

This is in reference to the first appeal No.E-5/Harrassment/injustice & discriminatory treatment/15 dated 25.03.2015 received from Sh. Ram Kumar dated 15.04.15 (under RTI Act – 2005, received on 27.04.15 against RTI reply vide No.40-43/2014-SEA-II dated 05.01.2015 of CPIO) wherein, he is not satisfied with information supplied to him in respect of point 03 of his RTI application dated 30.12.14.

In this connection, it is stated that undersigned being the Appellate Authority w.r.t. the information provided by Sh. Rajeev Kandpal, CPIO/Director(SEA) in the matter, has examined the issue. Based on the facts of the case I hereby decide the matter as under:-

1. The pay scales to the various grades in Central Government are granted by Ministry of Finance, GOI on the recommendation of Pay Commission. As such most of the information sought by the Applicant would not be available with the CPIO. However, the CPIO is directed to provide the information as sought for by the applicant, if the information is available with him. If it is not available, case may be transferred to CPIO concerned under Section 6(3) of the RTI Act.
2. Compliance of this order be ensured wihin 3 days of receipt.
3. The Appeal is hereby disposed off.
4. In case the applicant is not satified with the reply he may prefer the second appeal before the CIC, O/o CIC, Club building, Old JNU Complex, New Delhi-67.

5/6/15

(Saurabh Kumar Tiwari)
DDG(E&F) & FAA

1211/SEA-I/2015
5/6/2015

AO(T)

5/6/15

Sh. Rajeev Kandpal
Director(SEA) & CPIO
DOT(HQ).

Copy to :-

1. Director (Staff) & CPIO, 505, Sanchar Bhavan, DOT(HQ).
2. Sh. Ram Kumar, 33/104, Mansarovar, Jaipur -302020.
3. AO(SEA-I) for information.
4. Guard file.

Before Shri Rajveer Singh, DDG (Estt.) & First Appellate Authority
Department of Telecommunications, Sanchar Bhavan, New Delhi

Appeal No. 1-110/2014-STG.II ; Decided on 22nd April 2015

This is a first appeal No. E-5/Harassment/injustice & discriminatory treatment/15 dated 25.03.2015 preferred by Shri Ram Kumar on the ground that CPIO has not provided the requisite information with reference to his RTI application dated 03.11.2014 and requested to provide the requisite information.

2. The facts of the case are that Shri Ram Kumar had, vide his RTI application No. E-5/Harassment/Discriminatory treatment/12 dated 03.11.2015 dated 03.111.2014, sought information under RTI Act-2005 relating to alleged discrimination in the pay scales of JTO/SDE. As part information sought by the appellant pertain to other CPIO i.e., Director (SEA) & CPIO, DoT, the RTI application of the appellant has been transferred to the said authority under Section 6(3) of RTI Act-2005 and information as available with the Director (Staff) & CPIO has been provided to the appellant vide CPIO's letter dated 23.12.2015.

3. I have had the matter considered as per available records. It is observed that available information has been supplied to the applicant and no additional information is available with the Public Authority in this regard. Since no information is available with the CPIO to some points as sought by the applicant, the same has been informed to the applicant. As the part of information pertain to other CPIO for which RTI application of the applicant has been transferred to concerned CPIO under Section 6(3) of RTI Act-2005, the copy of the appeal has been sent to DDG (FEB) & Appellate Authority, DoT for taking necessary action, if any, at their end. With these observations, the 1st appeal of the Appellant is disposed of.

4. In case the appellant is not satisfied, he may prefer the second appeal before the Chief Information Commissioner, O/o Chief Information Commissioner, Club Building, Old JNU Complex, New Delhi – 110 067.

Entered in RTI Register at Sl. No (19) and forwarded to Sr AO (SEA-II) for info

[Rajveer Singh]
DDG (Estt.) & 1st Appellate Authority

Encl: As above

Sr AO / SEA-II

Dated : 22.04.2015

A copy of this order is forwarded to :-

1. Shri Ram Kumar, 33/104, Mansarovar, Jaipur – 302 020.
2. Shri S.K. Tiwary, DDG (FEB) & 1st Appellate Authority, DoT, Sanchar Bhavan, New Delhi. A copy of 1st appeal dated 25.03.2015 of Shri Ram Kumar is sent herewith for taking appropriate action, if any, at your end under intimation to Staff Branch.

Sl. No. 3(R)

Most immediate / Time bound / RTI Matter / Prolonged Grievances / Reminder.
injustice & discriminatory treatment with TES Group B officer / (1)

To

The Hon'ble Sh R.K. Mishraji
DDG (Estt) & 1st Appellate
Authority DOT Sanchar Bhawan
20-Ashoka Road New Delhi 110001

No E-5 / Harassment / injustice & discriminatory treatment / 19 dated 25-3-2015

Sub:- With humble request for reminder for Appeal under Section 19(1) of RTI Act-05

Sir,

With the humble submission & with due best regards, I beg to draw your kind ~~information~~ attention towards my RTI application dated 3-11-2014 photo copy enclosed & ~~PIO~~ photo copy of CPIO letter No 40-43/2014-SEA/11 dated 5th Jan 2015 & 1-110/2014-STG-11 dated 23-12-2014 & my appeal dated 18-1-2015, I had not been provided ~~go~~ requisite information of eight points by the CPIO, I therefore appeal your good honour to kindly direct the CPIO to provide all requisite information without further delay. I shall be highly thankful to you

Yours faithfully
(Ram Kumar)
33/104 Mansarovar
Jaipur 302020 (Raj)

1/STG-11/15
17/4

15/04/2015

DDG (Estt.), DOT
Dy. No. 1178
15/4/2015

US (SGT)

18/4/2015

17/04/2015

SO (SBIT)

Most immediate / Time bound / RTI Matter

(8)

To

The Director (Staff) & Hon'ble C.P.I.O
505 Sanchar Bhawan
20-Ashoka Road New Delhi 110001

No E-5/ Harassment / Discriminatory treatment / 12 dated 3-11-14

Sub:- Seeking information under section 6(1) of RTI Act-05

—x—

R. Sir,

With the humble submission & with due best regards, I beg to request your good honour to kindly ~~provide the following information under RTI Act-05~~ to look into the following serious matter

1) The pay scale of J.T.O.(L) after completion of 12 years of service since date of appointment in the cadre of JTOs as on 31-7-92 or before have been approved for lateral advancement of JTOs in pay scale of Rs 2000-60-2300-EB-75-3200-100-3500. The pay scale of officer is fixed under FR-22(a)(i) or FR 22(c)

2) The TES Group B officers (AEs / S.DEs) had been given more responsibilities ie (i) administration (ii) operation (iii) MIS (iv) legal (v) Maintainence (vi) Accounts (vii) local purchase (viii) Public dealings (ix) supervision of works (x) Supervision of works allotted to contractors (SDOT, AE(G), AE Telegraphs) (xi) Switching (xii) L&W (xiii) Cable (xiv) PCM (xv) VPTs & (xvi) Power Plants etc. round the clock (24 hours) He can't be granted leave easily due to his personal or family urgent work. Some times double / Triple charge. I had been ~~been~~ given two, three charge of JTOs & AEs & SDOT from 1980 continuously TES Group B officers had to do his duty 12-14 hrs even on Sunday & holidays & in the day & night

mentally / matter of discriminatory treatment with (9)
honest TES Group B officers & Pay scale of TES Group B had never be given.

After minimum qualifying service of 5 years as JE/SDOs, he had/has to pass Departmental qualifying exam with 40% minimum pass marks for promotion to TES Group B & he had been promoted after 8-10 years of passing Departmental qualifying exam, he will be promoted to TES Group B without any pay scale ie in the same pay scale of JTO(L) ie Rs 2000-3500. He had not been given any separate higher pay scale. It is matter of great regret, harassment, discriminatory treatment & violation of Article 14, 16, 21, 23, 24, 39(d) & principal of natural justice & violation of National Human Rights with J.T.Os & TES Group B officers

(3) where as A.O. had been given only one responsibility of Accounts only during his duty time, After his duty, on Sunday & holidays & ~~during off~~ after office hour, he has no responsibility. He had been given pay scale of Rs 2375-3500 higher than that of TES Group B officers. w.e.f 1-1-1986

Taking aforesaid paras in view, kindly arrange to provide the following information under RTI Act-05

(1) Photo copy of circulars/instructions/rulings/orders/notesheets issued by competent authority regarding discriminatory treatment, harassment mentally, with TES Group B officers & not granting them separate higher pay scale than pay scale of JTO(L) ie Rs 2000-3500

(2) Photo copy of circulars/instructions/rulings/orders/notesheets issued by competent authority regarding discriminatory treatment & harassment mentally with TES Group B officers (AEs/SDEs) placing them after promotion to TES Group B in the same pay scale of Rs 2000-3500 as granted to JTOs(L) (JTOs/JTOs(L) were promoted to TES Group B after passing Departmental qualifying exam with minimum 40%

marks in all the three papers)

3) Photo copy of circulars / instructions / rulings / orders / notesheets issued by competent authority for granting higher pay scale of Rs 2375-3500 ~~equivalent~~ to A.Os w.e.f 1-1-1986

4) Photo copy of circulars / instructions / rulings / orders / notesheets issued by competent authority for ~~not~~ not granting higher pay scale to TES Group B officers than pay scale of ~~Rs 2375/-~~ Rs 2375-3500 of A.O.s as per para-2 taking higher responsibilities of TES Group B in view w.e.f 1-1-1986

5) Photo copy of circulars / instructions / rulings / orders / notesheets issued by competent authority regarding DOT had given power for violation of Articles 14, 16, 21, 23, 24, ~~Pa~~ 39(d), Principal of Natural Justice & human rights with honest TES Group B officers since 1-1-1986.

6) Photo copy of circulars / instructions / rulings / orders / notesheets issued by competent authority regarding not implementing ITS Recruitment Rules 1992 for promoting TES Group B officers to STS of ITS Group B to fulfil vacancies of JTS of ITS Group B i.e 50% by promoting TES Group B officers having minimum qualifying service of 3 years & 50% by direct recruitment as per ITS Group A Recruitment Rules 1992.

7) Photo copy of circulars / instructions / rulings / orders / notesheets issued by competent authorities for illegally promoting TES Group B officers to STS of ITS Group A on officiating basis for 180 days on / to fulfil permanent post (on post sanctioned by competent authorities for STS of ITS Group A or regular basis not for officiating basis or ad-hoc basis) of STS of ITS Group A.

8) Photo copy of circulars / instructions / rulings / orders / notesheets issued by competent authority for promoting TES Group B to STS of ITS Group A on ad-hoc basis on permanent post of STS of ITS Group A till their date of retirement & they were never made regular & not ~~perm~~ promoted to higher post till their date of retirement.

IPO 29F 283749
Dated 3-10-2014

I shall be highly thankful to you sir.

Yours faithfully

(Ram Kumar)
33/104 Mansarovar