

RTI APPEAL DETAILS (आरटीआई अपील विवरण)

Appeal Registration Number (अपील पंजीकरण संख्या) :	DOTEL/A/2018/60131	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	30/06/2018
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या) :	DOTEL/R/2018/50411	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	22/05/2018
Name (नाम) :	A NELSON KOILDOSS 39	Gender (लिंग) :	Male
Address (पता) :	1/30, 19TH CROSS STREET VENKATESWARA NAGAR, RAMAPURAM CHENNAI		
Pin code (पिन कोड) :	600089		
State (राज्य) :	Tamilnadu	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-04424761490	Mobile Number (मोबाईल नंबर) :	+91-9444047561
Email-ID (ईमेल-आईडी) :	ankdoss@gmail.com		
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) :	Above Graduate
Citizenship Status (नागरिकता) :	Indian RTI NO. 343 5.7.18	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
CPIO Approached (संपर्क सीपीआईओ) :	9146	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided Forwarded to ACAA SEAT for n/a please. dt 5/7 ACAO, SEAT		
Ground for Appeal (अपील का आधार) :	Any Other ground		

Copy Received
05 July
ACAO SEAT

Text of RTI First Appeal letter attached
Appeal (आरटीआई
प्रथम अपील का
पाठ) :

28

APPEAL

Chennai
30.06.2018

From

A.Nelson Koildoss M.A, B.L
1/30, 19th Cross Street
Venkateswara Nagar
Ramapuram, Chennai 600089

To

The DDG (E&T) & Appellate Authority
Department of Telecommunications
Sanchar Bhawan
New Delhi 110 001

Respected Sir,

Sub: Appeal against the reply of CPIO under the clause 19 (1) of RTI Act 2005 -reg.

.....

I have sent an application on 22.05.2018 to **the CPIO**, O/o the Controller of Communication Accounts, Department of Telecommunications, Rajasthan Circle, Jaipur, and sought for information (Copy enclosed). As the Officer Mr. D.R.Yadav is working as Sr. AO at DOT HQ, the reply is given by the Director (SEA) & CPIO. The reply is against the RTI Act.

It was intimated in the reply that "the sought information cannot be provided to you under sub section 1 of section 11 of RTI Act 2005 being the third party information, as Sh. D.R.Yadav , Sr.AO, DOT HQ, has requested not to give the desired information to the RTI applicant.

The above information is not come under the Section 8 (j) of RTI Act, which speaks about the exemption of personal information.

"relationship to any public activity or interest, or, which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person. "

Contd.....

-2-

Moreover, there is no clear definition to the 'larger public interest' or 'invasion of privacy'. In several judgments, the committee upholds principles of natural justice to justify instance of public good but these cannot be upheld for all decisions. It is also interesting to see what comes under the purview of 'public information'. It's a misconception if you think that you hold the right to revealing your age, birth date, place you belong to, your marks, the rank that you hold, the salary you get, the returns you file or subsequently any of this information regarding your children. As upheld in *Madhulika Rastogi vs Regional Passport Office, New Delhi*, on 4 February 2009, *M. Rajamannar vs PIO, AC Division, Indira Gandhi National Open University* on 18 February 2009 and *A.V.Subrahmanyam vs BSNL, Hyderabad* on 16 February 2009 — the judgments illustrate that information submitted to public authorities at any point in time whether to get admitted to school, to get a license, to pass a public services examination or even file a divorce; all qualify for access to other people because they have been knowingly submitted to the public domain. A lot of sensitive information like passport details, telephone call records and medical records that can map intimate interactions of a person's daily life can also be obtained if larger public interest is proven.

Further, it is clearly stated that under section 4 of the RTI ACT 2005, even salary particulars of the officer/official should be published in the public Domain.

All the particulars are available in the Service book of the officer. If the CPIO is not able to cull out from the service book, the copies of the pages of the service book in which the required particulars are entered may be provided.

Prayer:- It is requested that kindly instruct to CPIO to supply the information

Yours Sincerely



(A.NELSON KOILDOSS)

30

Chennai
22.05.2018

From
A.Nelson Koildoss M.A, B.L
1/30, 19th Cross Street
Venkateswara Nagar
Ramapuram, Chennai 600089

To
The Central Public Information Officer
O/o the Controller of Communication Accounts
Department of Telecommunications
Rajasthan Circle
Jaipur

Respected Sir,

Kindly refer your RTI Reply No.CCA/Admn/RTI/1-2/2018-19/5 dated
02.05.2018

Kindly provide the following information under RTI Act 2005

1. Give the following service particulars of the following officers.

- I. Sh. M.K. Jain
- II. Sh. D.R. Yadav
- III. Sh. M.J. Vyas
- IV. Sh. Budhi Prakash Jain
- V. Sh. Raj Singh Manohar
- VI. Sh. Ram Singh Bijania

- a. Date of Appointment and Designation
- b. Date of first Financial Upgradation - TBOP / ACP I / MACP I
- c. Date of Second Financial Upgradation - BCR / ACP II / MACP II
- d. Date of promotion of JAO / AAO
- e. Date of Third Financial Upgradation – MACP III

Yours Sincerely
Sd/-

(A.NELSON KOILDOSS)

No. 40-10/2018-SEA-II
Government of India
Ministry of Communications
Department of Telecommunications
521, Sanchar Bhawan
20, Ashoka Road, New Delhi-11000

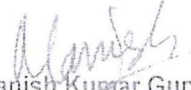
Dated 18 June, 2018.

To

Sh. A Nelson Koildoss,
1/30, 19th Cross Street,
Venkateswara Nagar, Ramapuram,
Chennai-600089.

Sub:- Providing Service particulars in r/o Sh. D.R.Yadav, Sr. AO DoT HQ- information under RTI Act-2005.

With reference to your online RTI request under Registration No. DOTE/R/2018/50411 dated 22/05/18, received on 29/05/2018 from SEA-I section under RTI Act -2005, in this connection it is intimated that the sought information cannot be provided to you under sub section 1 of section 11 of RTI Act-2005 being third party information, as Sh. D.R.Yadav, Sr.AO DoT HQ has requested not to give the desired information to the RTI applicant vide his application dated 05/06/18.


(Manish Kumar Gupta)
Director(SEA)/CPIO

Copy to .-A.O(SEA-I) DoT HQ for information and necessary action w/r to SEA-1 Endorsement No. RTI No. 305 dated 25/05/18

No. 40-10/2018-SEA-II
Government of India
Ministry of Communications
Department of Telecommunications

521, Sanchar Bhawan
20, Ashoka Road, New Delhi-110001

Dated 06/07/2018.

ORDER

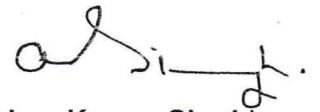
Sh. A. Nelson Koildoss, R/o- 1/30, 19th Cross Street, Venkateswara Nagar, Ramapuram, Chennai-600089 has preferred an on line appeal under Registration No. DOTEL/A/2018/60131 dated 30/06/2018, received in SEA-II section on 05/07/2018, against the reply of Director(SEA) DoT HQ/CPIO, vide no. even dated 18th June, 2018, regarding non receipt of information under RTI Act-2005 from Director (SEA) CPIO, DoT HQ, New Delhi in respect of Sh. D.R.Yadav, Sr. AO, DoT HQ.

Said Sh. A. Nelson Koildoss, had submitted an on line RTI request under Registration No. DOTEL/R/50411 dated 22/05/18, received on 29/05/2018 from SEA-I, section under RTI Act -2005, seeking information that pertain to the service particulars of Sh.D.R.Yadav, Sr.AO, DoT HQ.

The RTI applicant was intimated by the CPIO DoT HQ vide letter no. even dated 18/06/18, that the sought information cannot be provided under sub section 1 of section 11 of RTI Act-2005, being third party information, as Sh. D.R.Yadav, Sr.AO DoT HQ had requested not to give the desired information to the RTI applicant. vide his application dated 05/06/18.

On going through the on line RTI application dated 22/05/2018 and appeal of the above appellant dated 30/06/18 as well as reply of the Director(SEA) DoT HQ/ CPIO dated 18/06/18, it has been observed that the action of CPIO,DoT HQ, is correct.

The appeal is being disposed off accordingly.



(Abhay Kumar Singh)

Dy. Director General (E&T)

/Appellate Authority, DoT HQ.

To

1. Sh. A. Nelson Koildoss, R/o- 1/30, 19th Cross Street ,Venkateswara Nagar, Ramapuram, Chennai-600089.
2. The AO (SEA-i) DoT HQ

GN 12/18
cl A-B
SEA (ur)