

**Suresh Chandra Sharma**

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भारत सरकार

संचार एवं सूचना प्रौद्योगिकी मंत्रालय

दूरसंचार विभाग

संचार भवन, 20 अशोक रोड, नई दिल्ली-110 001

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS &

INFORMATION TECHNOLOGY

DEPARTMENT OF TELECOMMUNICATIONS

SANCHAR BHAWAN, 20 ASHOKA ROAD,

NEW DELHI-110 001

**D.O. No. 09-1/2013-RTI**

**Dated the 12<sup>th</sup> April, 2013**

Dear Shri *M. Vimal*,

Kindly refer to RTI Section's OM No.10-4/2010-RTI dated 08.11.2010 and 16.12.2010 8.6.2011 & 8.12.2011 on the subject mentioned above and to say that in a present case of Shri Karl Reddy the CIC vide order dated 22.3.2013 (copy enclosed) has directed the public authorities to place the gazette notification on eGazette.nic.in as the Department of publication has created the facilities for all the Central Govt. Ministries and Department to log on to the website and upload the Gazette Notification which ought to be in Public Domain under suo moto disclosure as per the RTI Act, 2005.

2. It is not out of place to mention that the implementation of Section 4 of the RTI Act is mandatory act on the part of all CPIOs working under all divisional heads for which RTI Section has been repeatedly reminding as mentioned above.

3. In the instant case of Shri Karl Reddy as per the direction of CIC DDG(PG) is specifically requested to look into the matter for uploading all the notifications in respect of Indian Telegraph Act.

4. It is reiterated that the requisite information may be sent by the respective CPIO relating to his wing as a whole to Director(IT) for necessary updation in the departmental website under intimation to the undersigned immediately. This may kindly be treated as Urgent.

Yours sincerely,

Encl.: as above.

(S.C. Sharma)

✓ Shri M.K. Vimal,  
Director(IT),

DoT - with the request to upload the updated material sent by each CPIO in the departmental website and regularly monitor.

Please take necessary action on 'X' above.

AD CIT-II

72/DIR(IT)/13  
15/4

*M. Vimal*  
15/4/13



**CENTRAL INFORMATION COMMISSION**  
**Club Building (Near Post Office)**  
**Old JNU Campus, New Delhi - 110067**  
**Tel: +91-11-26101592**

File No. CIC/BS/A/2012/000355/1909-Adjunct

March 22, 2013

**Relevant Facts emerging from the Appeal**

**Appellant** : Mr. Karl Reddy  
*The Fair Havens*  
966A Kandal Bridle Path  
Udagamandalam- 643001  
Nilgiris District, Tamil Nadu

**Respondent** : 1. ✓ CPIO & Director (PHP)  
**Department of Telecommunications**  
Room no. 1205, Sanchar Bhawan,  
Ashoka Road, New Delhi 110001

2. CPIO & Director(AS-III)  
**Department of Telecommunications**  
**Access Services Wing**  
Room no. 907, Sanchar Bhawan,  
Ashoka Road, New Delhi 110001

3. Nodal CPIO & Director(A&P)  
**Department of Telecommunications**  
Sanchar Bhavan, 20, Ashoka Road,  
New Delhi-110001

**RTI applications filed on** : 21/11/2011  
**PIO replied on** : 30/11/2011  
**First appeals filed on** : 13/12/2011  
**First Appellate Authority order** : 30/12/2011  
**Second Appeal received on** : 29/03/2012

**Information sought:**

- 1- Copies of gazette notifications on or after 1.1.1999 under Sub-Section(2) of Section 4 of the Indian Telegraph Act delegating all or any powers of the Central Government under first proviso to sub-section (1) of section 4 ibid, to the telegraph authority.
- 2- Copies of notifications on or after 1.1.1999 under sub-section (2) of section 4 of the Indian Telegraph Act imposing restrictions and conditions on the exercise of such powers by the telegraph authority.
- 3- List of officers currently empowered by the telegraph authority to perform all or any of the functions of the telegraph authority under the Indian Telegraph Act.

**Grounds for the Second Appeal:**

The PIO has not given satisfactory information.

**Relevant Facts emerging during Hearing held on 18/02/2013:**

The following were present

**Appellant:** Mr. Karl Reddy through VC 0423 2444550

**Respondent:** Mr. Arun Kumar Verma CPIO

The CPIO stated that the information requested by the appellant in his RTI application dated 21/11/2011 would be available with the Licensing Cells and hence notice may be given to the nodal CPIO & Director (A&P) for coordination and collection of the same.

**Interim Decision notice dated 18/02/2013:**

In view of the foregoing the matter is adjourned for **12/03/2013 at 12.00 PM** with the direction to the nodal CPIO, DoT to appear before the Commission for hearing as aforesaid alongwith the requisite information.

**Relevant Facts emerging during Hearing held on 12/3/2013:**

The following were present

**Appellant:** Mr. Karl Reddy through VC 0423 2444550

**Respondent:** Mr. S L Negi CPIO & Mr. S S Singh DDG (PG) DDT

Mr. S.S. Singh DDG (PG) DoT stated that inspite of the best efforts he has not been able to locate copy(s) of gazette notification(s), if any, issued on or after 01/01/1999 under sub section (2) of section 4 of the Indian Telegraph Act and the other information/document(s) requested by the appellant in his RTI application dated 21/11/2011.

**Decision Notice announced on 22/03/2013:**

The Commission directs the CPIO (PHP)/concerned CPIO to once again thoroughly go through the records and provide the information requested by the appellant in his RTI application dated 21/11/2011 within 21 days from the date of receipt of this order. If, however, the information is not available an appropriate affidavit to the effect should be filed with the Commission and a copy of the same endorsed to the appellant.

With regard to the copies of gazette notifications the Commission under its powers provided in Section 25(5) of the RTI Act recommends the public authority to place all the gazette notifications on eGazette.nic.in as the Department of publication has created the facilities for all the Central Government Ministries and Departments to log on to the website and upload the Gazette Notifications which ought to be in Public Domain under *suo motu* disclosure as per the RTI Act, 2005.

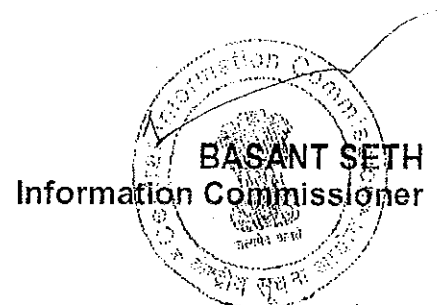
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**The appeal is disposed of accordingly.**

This decision is announced in open chamber.  
Notice of this decision be given free of cost to the parties.

**Copy to:**

The Secretary,  
Department of Telecommunication,  
Sanchar Bhawan, New Ashoka Road,  
New Delhi-110001.



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