



No. 40-14/2015-SEA-III
Government of India
Ministry of Communication & IT
Department of Telecommunications
Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110001.

To be entered
in RTI Register

Dated: 9/06/2015

To

Ms. Lakshmi Satyavathi,
H. No. 2-30/1, Shanthi nagar,
Vanasthalipuram,
Hyderabad- 500 070

Sub: Your Appeal dated 15/05/2015 under RTI Act, 2005.

Madam,

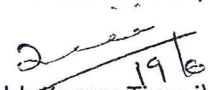
1. This is in reference to your 'First' Appeal dated 15.05.2015 in connection with RTI reply furnished by CPIO, Shri Rajeev Kandpal vide letter No. 40-14/2015-SEA-III dated 07.05.2015 in respect of your RTI application dated 23-04-2015.
2. The undersigned has examined the issue and based on the facts of the case I hereby decide the matter as under:
3. In your appeal dated 15/05/2015 you have not mentioned anything about the specific information which has not been provided to you. However, the information sought for under your appeal is hereby provided as under: -

Para Nos.	Reply
1.	A copy of Instructions/Advice rendered to CCA offices vide OM NO. 33-75/2011-SEA-III dated 07/03/2014, already supplied vide Sh. Rajeev Kandpal, CPIO, letter No. 40-14/2015-SEA-III dated 07-05-2015.
2.	The issue here is regarding the interpretation of rules as seen is not covered under RTI Act, 2005.
3.	The requisite information has already been provided to you vide Sh. Rajeev Kandpal, CPIO, letter No. 40-14/2015-SEA-III dated 07-05-2015.
4.	Clear guidelines are provided as per O. M. dated 12/08/2009, 18/08/2009 & 16/09/2009.
5.	The information asked is about order of placement, which is the matter of interpretation of rules hence, not covered under RTI Act, 2005.

Accordingly, this appeal is disposed off under section 19 of the RTI Act.

RTI 45-

Am...
22/6/2015
ABD CS...

Yours faithfully

(Saurabh Kumar Tiwari)
19/6
DDG (E&F) & FAA

10/19/2015
21/5

(857)

From
Lakshmi Satyavathi,
H. NO.2-30/1, Santhinagar,
Vanasthalipuram,
Hyderabad – 500 070.

To
Sri Saurabh Kumar Tiwari,
1st Appellate Authority and DDG (E&F),
Department of Telecommunications,
M/o Communications & IT,
Room No. 401, 4th Floor,
Sancharbhawan, 20, Ashoka Road,
New Delhi – 110 001.

~~DDG (SEA)~~

D(SEA)

on file
please
with

due
2nd (in a
last rpt's time)

21/5

102-D (SEA)
20-05-15

Sir,

Sub: Appeal under Section 19 of RTI Act 2005.
Ref: Lr. No.40-14/2015-SEA-III dated 7th May 2015 of CPIO and Director (SEA).

I have requested for information under RTI Act 2005 for which the CPIO and Director (SEA) furnish partial information denying some information. In this connection, the information sought, reply furnished and further request are appended hereunder with a request to arrange to furnish the information.

Para No.	Information sought	Reply furnished	Further request
1	While absorbing the SA/JA/LDCs in CCA offices, the process went on till September 2011 by issuing offer of appointments at different dates. A Committee was also appointed and submitted report while saying at Para 4.2.3 Fixation of Seniority: Consequent upon joining of all the selected candidates, seniority shall be fixed as per the following criteria: (i) Length of regular service in the eligible grade. In this connection, it is requested to furnish the guidelines for fixation of seniority. As per the report, selection/date of appointment order/date of joining has no relevance for fixation of seniority but the length of regular service in the eligible grade. A candidate joined in September 2011 have more length of regular service and a candidate joined in October 2010	The query does not ask for information as defined under Section 2 (f) of RTI Act 2005.	In this connection it is to submit that –as per Section 2 (f) the information means any material in any form. It includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public Authority under any law for the time being in force. I requested for the "ADVICE" rendered to the CCA offices by the Directorate for fixation of seniority where A candidate joined in September 2011 have more length of regular service and a candidate joined in October 2010 have less length of regular service than a

21/5

DDG (SEA)

SEA III

A (SEA)

Has an specific reply been given

opinion given

	have less length of regular service than a candidate joined later. The placement of both the candidates in the seniority may kindly be furnished.]		candidate joined later and the placement of both which is very much come under purview of the said section.
2	Furnish the eligible grades mentioned in the Para 4.2.3 that the length of regular service in the "eligible grade".	Copies of notifications enclosed	Further requested to confirm the eligible grade for selection and fixation of seniority is one and the same.
3	One UDC and one LDC were selected. LDC was appointed in 1987, whereas UDC was appointed as LDC in 1996 and got promoted to the post of UDC in 2004. The placements in the seniority of both the candidates may be furnished.	The query does not ask for information as defined under Section 2 (f) of RTI Act 2005.	In this connection it is to submit that -as per Section 2 (f) the information means any material in any form. It includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public Authority under any law for the time being in force. I requested for the <u>"ADVICE" rendered to the CCA offices by the Directorate for fixation of seniority where One UDC and one LDC were selected. LDC was appointed in 1987, whereas UDC was appointed as LDC in 1996 and got promoted to the post of UDC in 2004, which is very much come under purview of the said section.</u>
4	While absorbing the SA/JA/LDCs in CCA offices, the process went on till September 2011 by issuing offer of appointments at different dates. It is requested to furnish the seniority is to be fixed list wise or all the candidates are to be considered as a single list.	The information sought is not clear.	In the process of absorption, some candidates were issued appointment orders on 03.09.2010 and some candidates at different dates i.e 12-05-2011, 07-06-2011 etc. It is requested to furnish <u>the clear guidelines/instructions/advices tendered to the CCA units for fixation of seniority.</u> i.e seniority is to be fixed as per the length of service in the eligible grade irrespective of date of issue of appointment order or issue of appointment order is the criteria.

g. 1/10/11?

Would like to see Committee before prior?

Has any such advice been given

We may give copy of our instructions

State J, A & LT of issue of order at 1/10/11.

clearly on the subject

5	As per existing guidelines of Government of India, absorption in Central Government will be made only from the Central or State Governments only. However, the absorption in CCAs some candidates from Autonomous bodies, Corporation, Public Sector Units were also selected. The order of placement in r/o Central, State, Autonomous Bodies, Corporations and PSUs in Seniority list may kindly be furnished.	The seniority is to be fixed as per OM No. 33-75/2011-SEA-III dated 07/03/2014	The OM stated the date from which he/she has been appointed on regular basis to the same or EQUIVALENT GRADE in his/her parent department on one hand and referred Para 4.2.3 on other hand- the Para 4.2.3 states that the seniority is to be fixed as per the length of regular service in the ELIGIBLE GRADE. The order referred in the reply, it was not mentioned order of preference of Central/State/Autonomous/PSU candidates. Hence it is requested to furnish the order of placement of Central/State/Autonomous/PSU candidates. Further it is requested to furnish that the EQUIVALENT GRADE AND ELIGIBLE GRADE BOTH ARE ONE AND SAME. Furnish the eligible grades- and the date they will become equivalent grade as per the above OM and Para 4.2.3.
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What is eligible grade?

It is requested to arrange to supply the information at the earliest under RTI Act 2005 as the information sought by me is under the purview of Section 2 (f) of RTI Act 2005 and I requested for the clear guidelines/instructions/advices issued to the CCA units for fixation of seniority in r/o the Senior Accountants/Junior Accountants/LDCs absorbed during 2010 and 2011 in the CCA units of all over India.

Thanking you,

Secretary, Accounts, District
Yours truly

Lakshmi
(Lakshmi Satyavathy)

Date: 15/05/2015,
Place: Hyderabad.

Seniority of the applicant is not available in the report OM dated 20/11/2014.