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No. 36-03/2014-SU
Department of Telecommunications
(SU Section)

Sanchar Bhawan, 20 Ashok Road,
New Delhi-110 001
Dated 31.07.2014

To,

Smt. P Choudhary,
148 M.G. Road,
Kolkata-700007
West Bengal.

Subject: - RTI application dated nil of Smt. P Choudhary, seeking information under RTI Act, 2005.

Please refer to your RTI application cited above. In so far as SU III Section under CPIO(PSU-III) of DoT is concerned the para wise reply is as under :

(1), (2), (3) & (4)

RTI Act does not cover the queries/interrogative question.

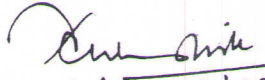
“The information has been defined under Section 2(f) of RTI Act 2005 which means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, log books, contracts, reports, papers, samples, models data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force. Queries are not covered under the definition of information under Section 2(f) of the RTI act, 2005. Act does not cast obligation to answer queries, as in the case when the petitioner attempts to elicit answers to his questions with prefixes such as why, what, when and whether. RTI Act does not require the PIO to deduce conclusion from the material and supply the conclusion from the material. PIO only has to supply the ‘material’ in the form as held by the Public Authority. Such queries are not “information” under Section 2(f).”

2. However, the following information is provided caring to the concern of the applicant:

- (1) & (2) Government has acquired 51.12% shares in a Company namely, M/s Hemispheres Properties India Limited (HPIL) which shall handle the works related to demerger of Surplus Land of VSNL and necessary action on Surplus Land thereon. Accordingly, the Demerger of Surplus Land is under process.
- (3) As per the information received from Pr. CCA, Maharashtra the Suit No. 965/2005 is pending before Hon'ble High Court & no date has been given in the same.
- (4) As per the information received from Pr. CCA Kolkata, the Title Suit No. 1917 of 2005 is pending in City Civil Court and the matter has been fixed for further hearing on 30th August, 2014 as Misc Case No. 713 of 2013.

3. (i) Documents related to reply filed by the Govt. in Court regarding TS 1917 of 2005 may be obtained from the Pr CCA Kolkata. The copy of this letter is endorsed to the CPIO, O/o Pr CCA, Kolkata for the same.

(ii) As per records available in this Section, no such appeal has been filed by DOT against 85.94 acres land of Chennai – W.P. 12002/2006 (Hon'ble High Court, Delhi).


31/07/14
(Rajeev Kumar Kaushik)
Director(PSU-II & CPIO)

Copy to :

1. CPIO,
O/o Pr. Controller of Communication Accounts,
Telephone House, 8, Hare Street (2nd Floor),
Kolkata – 700001

2. DS (Coord) & Nodal Officer (RTI)
DOT

A copy of the above RTI application is enclosed herewith with the request to furnish the information as sought by the applicant vide point seeking documents related to reply filed by Govt. in Court in TS 1917 of 2005 directly to the applicant under intimation to this office.

W.r.t O.M. No. 9-07/2014-RTI dated 04.07.2014.

o/c