

Before Sh.Shashi Ranjan Kumar, Joint Secretary(Admn.) and First Appellate Authority, Department of Telecommunications, Sanchar Bhavan, New Delhi-110 001

APPEAL No.1

(JS(Admn.) Dy.No.84172/2014/JS(A) dt.29.05.2014)

This is an Appeal preferred by Sh.K.K.Miglani against the information provided by Sh.O.S.Ashok, DS(Admn.I)/CPIO vide letter No.50-14/2014-Admn.I dated 24/04/2014 in response to his RTI application dated 31.03.2014.

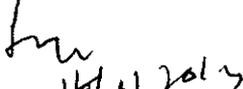
2. The points raised in the appeal dated 20.05.2014 and observations of 1<sup>st</sup> Appellate authority are as under:

Sl.No.	Points raised by applicant in his 1 <sup>st</sup> Appeal	Observation of 1 <sup>st</sup> Appellate Authority
1	I requested for certified copies of the documents, while all the documents provided vide Annexure I to VII are not certified	Any official communication is treated as certified under RTI. Hence information has already been furnished vide letter dated 24.04.2014
2	In para 7 I asked for certified copies of certain clarification furnished to Hon'ble CAT. The CPIO has furnished Annexure VIII which is not the requisite information/documents, which tentamounts to denial of information.	The judgement pronounced by the Hon'ble CAT on 17.09.2013 stating "The Respondents have clarified in their reply that all these posts were part of the 7 posts of Deputy Secretaries of CSS allocated to the Department of Telecom ....." is the direction of the Hon'ble Court based on the para wise reply and subsequent clarification furnished vide letter No.43-3/2011-Admn.I dated 10 <sup>th</sup> Sept.2013 to the Hon'ble Court, which is already available with the applicant. Any further clarification in the quasi judicial matter may be sought from the appropriate authority. <b>Hence, there is no denial of information.</b>
3	Similarly in para 8 I asked for certified copy of the communication where the above information was conveyed to Hon'ble CAT. Annexure VIII provided is a letter to Advocate and not the clarification furnished to CAT	The Union of India defends it's cases through Govt. Counsel and any matter/material to be placed before court is done through Central Govt. Standing Counsel as per Govt. of India instructions.

**Decision of the 1<sup>st</sup> Appellate authority**

The information available with the Department has been furnished to the applicant by DS(Admn.I)/CPIO vide letter No.50-14/2014-Admn.I dated 24.04.2014.

The applicant may prefer 2<sup>nd</sup> appeal under RTI Act 2005 before the Chief Information Commissioner, 2<sup>nd</sup> Floor, 'B' Wing, August Kranti Bhavan, Bhikaji Cama Place, New Delhi-110066, against this order, if he so desires.

  
(Shashi Ranjan Kumar)  
Joint Secretary(Admn.)&1<sup>st</sup>Appellate Authority

F.No.50-14/2014-Admn.I

Dated: 16 June 2014

Copy forwarded to:

1. Sh.K.K.Miglani, C/o Sh.Amar Das, 871, Dr.Mukherjee Nagar, Opp. Batra cinema, Delhi.
2. DS(Admn.I)/CPIO, DoT.
3. Dir(IT) for uploading this on website of DoT