

To
Sri O.S.Ashok
Director (Admn) & APIO
Department Of Telecommunication
Room No 303, Sanchar Bhavan
New Delhi 110001

Date: 02-08-2014

Sub: Request for Information under Right to information Act 2005

Dear Sir,

I, Sri Amit Kumar Gupta son of Late Jyotilal Gupta resident of 1/4 Rajendra Banerjee Road, Behala, Calcutta 700034, Telephone number 033 23464646, Mob 9433000088 wish to seek information under RTI act 2005 as under,

- Whether the content as mentioned in para 5 of the memo no 40-17/2008-Pen(T)-Vol-III, Dt 15-03-2011, which is reproduced below, is a cabinet decision or an administrative decision of Dept of Telecom ?
- The annual pension liability of Government in respect of employees retired from DoT prior to 1.10.2000 and those who are working in BSNL on deemed deputation basis or on absorption shall continue to remain within 60% of annual receipts to Government from (i) dividend income from MTNL/BSNL, (ii) License fee from MTNL/BSNL; and (iii) Corporate Tax/ Excise duty/ Service Tax paid by BSNL after this revision. In case it exceeds 60%, excess liability will be borne by BSNL.
- If the content of para 5 as mentioned in 1 above is a part of cabinet decision, Kindly state whether the last line which states "In case it exceeds 60%, excess liability will be borne by BSNL" is also a part of that cabinet decision.
- Kindly provide details of the said cabinet approval i.e. ref no, date of approval, content etc with a photo copy of the cabinet memo.

I, inform that following formalities have been completed by me.

- I have attached the requisite fee of Rs 10/- in form of Postal Order favouring PAO (HQ) Department of Telecom, New Delhi 110001
- I am a citizen of India and asking the information as citizen
- I assure that I shall not allow/ cause to use/ pass/share/display/ or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the Unity and Sovereignty or against the Interest of India

Thanking You,

Yours Sincerely

Amit Kumar Gupta 02/08/2014
(Amit Kumar Gupta)
1/4 Rajendra Banerjee Road
Behala, Kol 700034, email id: sde 46

SP R N BANERJEE ROAD PO <700001> India Post
EW768521635IN
Counter No:1, OP-Code:10
To:05 ASHOK DEPT TELE.COM
NEW DELHI, PIN:110001
From:A K GUPTA, KOL 39
Wt:20grams,
PS:5.00,Amt:34.00, 06/08/2014, 13:32
Taxes:Rs.4.00*EDD(If not a holiday):00:00:00

भारतीय डाक
भारतीय पोस्टल आर्डर
INDIAN POSTAL ORDER
डाक महानिदेशक DIRECTOR GENERAL OF POSTS.

PAY TO PAO (HQ), Department of Telecom, New Delhi - 110001

दस रुपए की रकम THE SUM OF RUPEES TEN ONLY

₹ 10.00Rs

AT THE POST OFFICE AT

डाक टिकट
POSTAGE STAMPS

कमीशन COMMISSION ₹ 50 PAISE
प्रेषक अपना नाम और पता यहाँ लिख दे।
SENDER MAY FILL IN HIS NAME AND ADDRESS HERE.
Amit Kumar Gupta

अधपत्रा COUNTERFOIL
इसे फाइलर प्रेषक अपने पास रख ले।
To be detached and kept by the Sender.

पोस्टल आर्डर
रुपए 10.00Rs.
POSTAL ORDER

किससे अदा करना
To whom payable

किस डाकघर में
At what Office

क्या इसे क्रॉस किया है
Whether crossed

भेजने की तारीख
Date sent

03F 296680

No. 47-35/2014-Pen(T)
Government of India
Department of Telecommunications
(Pension Section)

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New Delhi, dated the 12 September, 2014.

✓ Shri Amit Kumar Gupta,
¼, Rajendra Banerjee Road,
Behala,
Kolkatta 7000034.

Subject: Seeking information under RTI Act, 2005 -- Case of Shri Amit Kumar Gupta.

Kindly refer to your application dated 2.8.2014 (received in this Office on 14.8.2014) on transfer from Deputy Secretary (Admn. I) & CPIO) seeking information under the RTI Act, 2005.

2. In this regard, the point wise information is as follows:

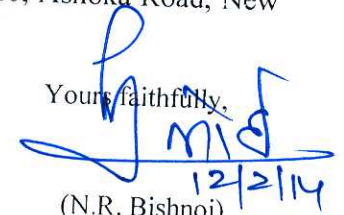
Point No.1. Yes. The content in para 5 of the Memo No. 40-17/2008-Pen(T)(Vol.III) dated 15.3.2011 is a part of Cabinet decision.

Point No. 2. Yes. The last line is also a part of the Cabinet decision.

Point No.3. The Cabinet considered the Note dated 29.12.2010 regarding revision of IDA pension for employees of BSNL, who retired after 01.10.2000 and before 1.1.2007 and approved the proposals which had been conveyed vide case No. 15/3/2011 in the Cabinet meeting held on 20th January, 2011 (copy enclosed).

3. Appeal against this reply, if any, may be preferred before Shri R.K. Mishra, DDG (Estt) & Appellate Authority, Department of Telecommunications, Sanchar Bhawan, 20, Ashoka Road, New Delhi- within 30 days of the receipt of this letter.

Yours faithfully,


12/2/14

(N.R. Bishnoi)

Director (Estt) & CPIO

Tel: 2303 6500

Copy to: Shri O.S. Ashok, Deputy Secretary (Admn.) & CPIO w.r.t. O.M. No. 50-46/2014-Admn. I dated 14.8.2014 for information.

No.3/CM/2011(i)
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

3

New Delhi, the 24th January, 2011

Secy (S) has
been, plr B
1st PA

(Signature)
27/1/2011

DDG/PH

4-S/MS/11
27/1/11 To

(Signature)
27/1/2011

The undersigned is directed to circulate herewith the minutes of the meeting of the Cabinet held on the 20th January, 2011. (Case Nos. 11/3/2011 to 19/3/2011).

(Signature)
(K.L. Sharma)
Director (Cabinet)
Tele : 2301 5802

Principal Secretary to the Prime Minister.

Copy, with a copy of the relevant minutes, forwarded to the following, in respect of the case(s) mentioned against each :-

	<u>Case No.(s)</u>
Secretary, Department of Legal Affairs.	} 11, 12, 13 & 15
Foreign Secretary.	} 11, 12, 13, 17 & 18
Secretary, Ministry of Home Affairs.	} 11, 12, 18 & 19
Secretary, Legislative Department.	} 12 & 19
Secretary, Department of Revenue.	} 13
Secretary, Department of Defence.	} 14
Secretary, Department of Expenditure.	} 14, 15, 16, 18 & 19
Secretary, Department of Telecommunications.	} 15
Secretary, Department of Public Enterprises.	} 15
Secretary, Department of Pensions and Pensioner's Welfare.	} 15
Secretary, Department of Personnel and Training.	} 16 & 19
Secretary, Ministry of Micro, Small and Medium Enterprises.	} 17
Secretary, Department of Commerce.	} 17
Secretary, Ministry of Earth Sciences.	} 18
Secretary, Department of Agriculture and Cooperation.	} 18
Secretary, Ministry of Environment and Forests.	} 18
Secretary, Department of Science and Technology.	} 18
Secretary, Department of Space.	} 18
Member-Secretary, Planning Commission.	} 18
Secretary, Ministry of Information and Broadcasting.	} 19
Secretary, Department of Rural Development.	} 19
Secretary, Ministry of Parliamentary Affairs.	} 19
Secretary, Ministry of Labour and Employment.	} 19
Secretary, Ministry of Panchayati Raj.	} 19

(Handwritten notes)
34/8/11
25/11

(Signature)
(K.L. Sharma)
Director (Cabinet)

(Handwritten)
921/pmm(02/11)
- 7/11

SECRET

CABINET SECRETARIAT

EXTRACTS FROM THE MINUTES OF THE MEETING
OF THE CABINET HELD AT 1100 HOURS, ON
THURSDAY, 20TH JANUARY, 2011, IN PANCHVATI,
7, RACE COURSE ROAD, NEW DELHI.

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Case No.15/3/2011Item 5

Revision of IDA pension for employees of BSNL, who
retired after 01.10.2000 and before 01.01.2007.

The Cabinet considered the note dated 29.12.2010 from the Ministry of Communications and Information Technology (Sanchar aur Soochana Praudyogiki Mantralaya), Department of Telecommunications (Doorsanchar Vibhag) and approved the proposals contained in paragraph 6 thereof.

SECRET

SP

D/6 Copies

In accordance with the rules of Procedure in Regard to Proceedings of the Cabinet (Rule 10), progress of the action to implement the decision may be included in the Ministry's Monthly Summary for the information of the Members of the council of Ministers.

Action taken to implement the decision may be communicated to the Cabinet Secretariat with reference to the Implementation Schedule attached to the agenda note.

(BY Registered Post)

0/0

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To

Shri R.K.Mishra

DDG (Estt) and Appellate Authority
Department Of Telecommunications,
Sanchar Bhavan,
20,Ashoka Road, New Delhi 110001

Date 27-09-2014

Sub: Appeal against the reply of the queries made under RTI act 2005

Dear Sir,

As per the provisions of RTI act 2005, I have asked three queries from Shri O.S. Ashok, Director (Admn) & APIO, Dept of Telecommunication, New Delhi vide my letter dated 02-08-2014 (Copy Enclosed). I have received the reply from Shri N.R.Bishnoi, Director (Estt) & CPIO Department of Telecom, New Delhi vide letter dated 12-9-2014 and received by me on 23-09-2014.(Copy Enclosed)

Although first two questions have been replied properly but the question number three was only replied partially. My question was "Kindly provide details of the said cabinet approval i.e ref no, date of approval, content etc with a photocopy of the cabinet memo."

In reply the sanction details of the cabinet note have been provided but **neither the content of the original cabinet note dated 29-12-2010 (as mentioned in the reply) nor the photocopy of the said note was provided to me along with the reply.**

I, therefore appeal before you to provide me one authenticated copy of the said cabinet note dated 29-12-2010 prepared by Department of Telecommunications which was subsequently approved by Cabinet on 20-01-2011. (as mentioned in the reply)

Kindly acknowledge the receipt of this appeal.

With Kind Regards,

Yours Faithfully


(Amit Kumar Gupta)

1/4 Rajendra Banerjee Road
Behala, Kolkata 700034
Mob: 9433000088
email : sdebhl@yahoo.co.in

Enclosures: As above



No. 47-35/2014-Pen(T)
Government of India
Department of Telecommunications
20, Ashoka Road, Sanchar Bhavan,
New Delhi.

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Dated: November, 2014.

ORDER

I have gone through your appeal dated 27.9.2014 addressed to DDG(Estt) & Appellate Authority (received in the Office of DDG(Estt) & AA on 4.10.2014).

2. I have observed from the records that your RTI application dated 2.8.2014 was received in the Office of Director (Estt) & CPIO on transfer from Dy. Secretary (Admn.I) & CPIO on 14.8.2014 and a reply was sent to you on 12.9.2014. However, the information regarding contents/copy of the Cabinet Note was inadvertently left behind.

DECISION

3. **I find the information sought by you has been conveyed by the CPIO vide his reply dated 12th September, 2014 (copy enclosed).** However, a copy of the Cabinet Note dated 29.12.2010 will be supplied to you only on remittance of Rs. 36/- @ Rs.2/- per page (Total 18 pages).

Accordingly, the appeal dated 27.9.2014 stands disposed off.

4. In case if you are not satisfied, you may prefer a second appeal before the Chief Information Commissioner at the following address:

**O/o Chief Information Commission,
Club Building,
Old JNU Complex,
New Delhi-110067.**


(R.K. Mishra)

DDG(Estt.) & First Appellate Authority

To

✓
Shri Amit Kumar Gupta,
1/4, Rajendra Banerjee Road,
Behala, Kolkata 700034.

To
Sri R.K.Misra
DDG(Estt) & First Appellate Authority
Department of Telecommunication
New Delhi 110001

o/c

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Date: 14-11-2014

Sub: RTI application of the undersigned

Ref: Your No 47-35/2014-Pen(T) Dt 3rd Nov 2014


Dear Sir,

I am in receipt of the letter under reference and very much thankful for your decision on my review petition. As instructed, I have already deposited Rs 36/- by cash at the reception counter of Sanchar Bhavan, DoT, New Delhi on 12-11-2014. The photocopy of the receipt is enclosed.

Kindly supply me a copy of the said cabinet memo dated 29-12-2010 as mentioned in the letter under reference and as mentioned in my review petition at the earliest.

With Regards,

Yours Faithfully


(Amit Kumar Gupta)
1/4 Rajendra Banerjee Road
Behala, Kolkata 700034
Mob: 9433000088

REMOTE SENSE

XL GANESHA MARG HO 110001

RD 335544496 IN

Counter No:14, DP-Code:508

To: R K MISRA,

W DELHI, PIN:110001

From: AMIF, KOLKATA

wt:22grams.

amt:27.00, 14/11/2014, 11:55

Track on www.indiapost.gov.in





रसीद RECEIPT

81

सं. No.

तिथि DATED 12/11/2014

प्राप्त किए

RECEIVED FROM

Sh. Amit Kumar Gupta

Behala Kalkata



से पत्राक सहित

WITH LETTER No.

47-35/2011-AMT तिथि DATED 31/11/2011

कुल राशि

THE SUM OF RS.

Thirty Six (36/-)

द्वारा नगद / चैक* / ड्राफ्ट* सं. IN CASH/BY

CHEQUE*/BANK DRAFT* No.

CASH

तिथि DATED

12/11/14

जारी

DRAWN ON

DDY CBS H. First Appala

मदें ON

COUNT OF

RTI

भुगतान रूप में

IN PAYMENT OF

Authority

₹ 36/-

हस्ताक्षर SIGNATURE

पद DESIGNATION

*Subject to realization

SOLD BY : AMIR BOOK DEPOT, 4070, NAI SARAK, DELHI-06. ☎ 23918826, 23918707