

465808/2017/CR

NATIONAL PROJECTS CONSTRUCTION CORPORATION LIMITED
(A Government of India Enterprise)

Rajni Agarwal
Public Information Officer
Under the RTI Act, 2005
Corporate Office,
Plot No. 148, Sector-44,
Gurugram (Haryana) -121003

Ref. No.500160/RTI Act-05/1655/5370

Dated: 13.06.17

CPIO,
Ministry of Water Resources, River Development
& Ganga Rejuvenation
Shram Shakti Bhawan
Rafi Marg

New Delhi

Sub: Information under RTI Act-2005

Ref : Order of CIC in appeal No. CIC/BS/A/2016/000079/MP dated 31.05.17

Dear Sir,

As directed by Ld. CIC in appeal No. CIC/BS/A/2016/000079/MP dated 31.05.17 passed in the case of Shri S R Hussain, we are transferring herewith application No. SRH/RTI/2015/12 dated 17.03.15 under section 6(3) of RTI Act, 2005 for necessary action and reply to the applicant directly under intimation to us.

Thanking you

Yours Faithfully

Rajni
13/06/17
Rajni Agarwal
Public Information Office

Encl : (i) Copy of order of CIC

(ii) copy of application NO. SRH/RTI/2015/12 dated 17.03.15 of Shri S R Hussain

Formo. 1655

Central Information Commission

Room No.307, II Floor, B Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066
website-cic.gov.in

Appeal No. CIC/BS/A/2016/000079/MP

Appellant : Shri S.R. Husain, Faridabad
Public Authority : NPCC Ltd., Faridabad
Date of Hearing : May 29, 2017
Date of Decision : May 31, 2017

Present:

Appellant : Shri A.K. Puri, Appellant's representative – at CIC
Respondent : Shri Rajni Agarwal, CS & CPIO, Ms. Shagun, Sr. Mgr.(HR) & APIO and Shri Neeraj Gupta, APIO(Vig.) – at CIC

RTI application : 17.03.2015
CPIO's reply : 18.09.2015
First appeal : 29.09.2015
FAA's Order : 16.11.2015
Second appeal : 21.12.2015

ORDER

1. Shri S.R. Husain, the appellant, sought copy of letter dated 10.10.2000 of Shri J.L. Chugh, the then Dy. Secy. (Water Resources) alongwith copy of investigation report of the then Addl. Secy., Water Resources.

2. ~~The~~ CPIO intimated the appellant that NPCC was not the custodian of the information sought. Dissatisfied, the appellant approached the FAA. The FAA upheld the CPIO's reply. Aggrieved, the appellant came in appeal before the Commission stating that the information sought had not been provided by the CPIO.

3. The matter was heard by the Commission. The appellant's representative stated that the information sought had not been provided to the appellant.

4. The respondent stated that the appellant sought the information which was not the part of their record and the information had sought i.e. letter dated 10.10.2000 of Shri J.L. Chugh, the then Dy. Secy. (Water Resources) and investigation report of the then Addl. Secy., Water Resources which had originated from the Ministry of Water Resources and the respondent

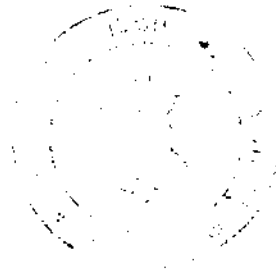
as per the instructions of the same. Hence the respondent could not provide the attested copy of the information sought.

5. As per the respondent's submissions the information sought i.e. letter dated 10.10.2000 of Shri J.L. Chugh, the then Dy. Secy. (Water Resources) and investigation report of the then Addl. Secy., Water Resources was held by the Ministry of Water resources, the Commission therefore directs the CPIO to transfer the RTI application u/s 6(3) of the RTI Act, 2005 to the Ministry concerned within 5 days from the date of receipt of this order for a direct reply to the appellant under intimation to the respondent. The appellant is also advised to send the request for information to the CPIO concerned himself, as he being from the same organisation would have aware of the officials/ CPIO from whom to seek information. He should, in future, submit his RTI application to the appropriate CPIO. The appeal is disposed of.

Sd.
(Manjula Prasher)
Information Commissioner

Authenticated true copy:

Alam
Dy Registrar



Copy to:

Appellant

Shri S.R. Husain
House No. 1C/104, N.I.T.
Faridabad-121001, Haryana

The Central Public Information Officer

National Projects Construction Corporation Ltd.
Corporate Office, Plot No. 67-68,
Sector-25, Faridabad, Haryana-121004

The First Appellate Authority

National Projects Construction Corporation Ltd.
Corporate Office, Plot No. 67-68,
Sector-25, Faridabad, Haryana-121004

RTI
568/M/13/6/17

F.No. 1655

Ref No-SRH/RTI/2015/ 12-

Date: 17.03.2015

Mrs. Rajni Agarwal
CPIO, Under RTI Act- 2005,
NPCC Ltd, Plot no-67-68, Sector-25
Faridabad-121004

Subject: Request to provide certified copy of information under RTI Act-2005.

Madam,

I am enclosing copy of my note sheet dated 20.12.2000 of the then Dy. G.M.(Vigilance), NPCC received earlier under RTI Act wherein he has mentioned about letter no. 9/2/2000- P-II (Part)/1439 dated 10.10.2000 of Shri J.L. Chugh, the then Dy. Secretary(WR) and Investigation Report of then Addl. Secretary, WR.

Kindly provide certified copy of following information/documents.

1. Copy of said letter of Shri J.L. Chugh, the then ^{Dy.} Secretary, WR, along with copy of Investigation Report of the then Addl. Secretary, WR to NPCC Ltd.

Necessary fee of Rs 10/- in cash is enclosed.

Thanking You,

Encl as above

Yours faithfully

S.R. Hussain
(S.R. Hussain)

H.No-1C/104,N.I.T
Faridabad-121001

3713 4022 5377
177 3115

17/3

MP-1

Sub: Disciplinary proceedings against Sri SR Hussain AE (c) and
General Secretary of NSA.

Sri J. L. Chugh Dy. Secretary MOWR has forwarded the Investigation
of Additional Secretary (WR) on various complaints made by
NSA against the officers of NPCC Ltd vide letter no. -

9/2/2000 - P. II (Part) / 1439 dt 10.10.2000 with recommendation
as under: -

(ix) The NPCC could be advised to consider banning NSA
from its activities, may be in consultation with the Ministry of
Labour on the basis of this report, and may also be advised to
initiate action for a major penalty proceedings against the
General Secretary of NSA for highlighting issues, which are not
their concern, for making unnecessary and exaggerated allegations
and for tarnishing the image of senior officers by sending
copies of their letters to PM, Home Minister, Ministers, MPs etc.

(x) Immediate action should be taken to start the process of
recognition of the Association in accordance with the rules laid
down for this purpose in consultation with the Ministry of
Labour."

submitted for necessary order please.

C/D

As Sri SR Hussain AE (c) has lodged
false complaints against officers of NPCC.
in collusion with the other office bearers of NSA,
Major Penalty charge sheet is issued to Sri S.R. Hussain
and explanations are called from Sri. Anoop Kaur
treasurer @ Sri. Bhaskar Chatterjee vice President @ Sri.
Nizamuddin - Vice President @ Sri. Ravi Chaudhary vice
@ Sri. S.N. Srivastava - Organising Secretary.

DD SA
20/12/2000

Dy Gd (Vij)

[Signature]