

PUDUCHERRY TOURISM DEVELOPMENT CORPORATION LIMITED
(A Government of Puducherry Undertaking)

No.273/PTDC/RTI - 14/A/2021 - 22/172 Puducherry, Date:14.03.2022

IN THE MATTER OF FILE NO. 273/PTDC/RTI-14/A/2021-22
Dt. 10.03.2022.

23 MAR 2022

Appellant: Thiru. N. Vijayaragavan,
No.46, Aravindar Street,
Pappanchavadi, Murungapakkam,
Puducherry - 605 004.

Respondent: Thiru. M. Sezhan, PIO of the Puducherry Tourism
Development Corporation.

Date of Hearing: 14.03.2022 at 04:00 PM

Brief facts of hearing and analysis of First Appellate Authority

This appeal is by Shri. N. Vijayaragavan, No. 46, Aravindar Street, Pappanchavadi, Murungapakkam, Puducherry - 605 004 against the information furnished by the Public Information Officer viz. Thiru. M. SEZHIAN, Manager (Catering) who is designated as PIO of the Puducherry Tourism Development Corporation (Herein after called as PTDC).

Brief facts of the case are as follows:-

02. Appeal was heard on 14.03.2022 at 04:00 PM

03. The PIO informed that Thiru. N. Vijayaragavan had filed petition on 22.01.2022 seeking the following information under RTI at 2005.

Particular of Information required : a). Copy of the report submitted by Thiru. D. Baskarane, Asst. Manager and Thiru. P. Manoj, Asst. Manager for the report called from them by the Managing Director in respect of complaint against the theft of River Sand at Chunnambar Complex.

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M. Manoj

b). How many Complaint received against the theft of River Sand at Chunnambar Complex and furnish the copy of the Complaints received. Copy of the action taken report against the complaint received.

Details of Information required: i). Copy of the report submitted by Thiru. D. Baskarane, Asst. Manager and Thiru. P. Manoj, Asst. Manager against the report called by Managing Director in respect of theft of River Sand.

ii). Copy of the Complaints received in this regard.

iii). Copy of the Action taken report in this regard.

04. PIO further stated that the appellant sought for the details of letter submitted by third party against the Government Officer and to furnish information. However, he stated he could not furnish the information under section 8 (1) (J) of the RTI Act, 2005.

05. The appellant acknowledged that he received a response (dt. 19.02.2022) from the PIO in time. But, the reply was not satisfactory to him.

06. Therefore, the appellant preferred appeal to the First Appellant Authority in FORM - 4 on 25.02.2022.

Brief facts leading to appeal : The information sought for by appellant and the documents required therein was refused under Section 8 (1) (J) without justification against the provisions and guidelines of the RTI Act, Hence, this appeal.

06. Grounds for appeal : i). The PIO is not giving proper replies to my RTI.
ii). The PIO's reply is escaping from his response and giving evasive reply to the RTI .

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07. Prayer on relief Sought for : The PIO played main Role in looting the Sand and he is not giving proper reply. Kindly look into this matter and through enquiry will be made and to direct the PIO to furnish the Correct information as sought for in full, duly authenticated by him. I am afraid of PTDC property.

08. Hence this proceedings

Having gone through the file and heard from both parties, it is observed that the appellant had made the appeal to the appellate authority to receive the copy of the reports submitted by Thiru. D. Baskarane, Asst. Manager and Thiru. P. Manoj, Asst. Manager and the copies of the Complaints received in connection with theft of River Sand along with copy of the action taken report.

It is revealed by the PIO, that as per RTI Act Complaints against Government Officers. Information about the complaints made against a Government Officer and action taken thereon, qualifies as personal information within the meaning of provision of Section 8 (1) (J) (Ref. Manoj Arya vs CPIO, Cabinet Secretariat CIC/SM/A/2013/000058 decided on 26.06.2013, Circulated vide DOPT O.M No. 11/2/2013 -IR (Pt), dated 14.08.2013). Reports submitted by Thiru. D. Baskarane, Asst. Manager and Thiru. P. Manoj, Asst Manager have become part of enquiry and the file along with the said reports was submitted to Government of Puducherry. The matter is under enquiry. Hence, the copy of the report submitted by Thiru. D. Baskarane, Asst. Manager and Thiru. P. Manoj, Asst. Manager could not be furnished.

09. In examining this case, I, therefore pass the following Order:-

ORDER

This order shall dispose the appeal filed by N. Vijayaragavan, No. 46, Aravindar Street, Pappanchavadi, Murungapakkam, Puducherry - 605 001 in respect of RTI No. 273/PTDC/RTI-14/A/2021-22, dt. 10.03.2022.

1. Present: N. Vijayaragavan, No. 46, Aravindar Street,
Pappanchavadi, Murungapakkam, ,
Puducherry - 605 001 on 14.03.2022 at 04:00 PM.

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2. Present: Thiru. M. Sezhian, PIO of the Puducherry Tourism Development Corporation, Puducherry.

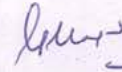
3. The appellant filed a RTI application seeking information and the PIO furnished the information by a reply. Both the parties heard.

4. The PIO is Ordered to furnish the copy of the complaints received in respect of theft of River Sand at Chunniambar Complex, except the Report, given by Thiru. D. Baskarane, Asst. Manager and Thiru. P. Manoj, Asst. Manager which are under inquiry by Vigilance.

If you are not satisfied with the information provided, you may file an appeal before Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi - 110 067 within the stipulated time.

Date: 14.03.2022.

Place: Puducherry.



(GEORGE K MARAM)
**MANAGING DIRECTOR - CUM -
FIRST APPELLATE AUTHORITY,
PTDC, PUDUCHERRY.**

To

Thiru. N. Vijayaragavan,
No.46, Aravindar Street,
Pappanchavadi,
Murungapakkam,
Puducherry - 605 004.

Copy to :-

1. Thiru. M. Sezhian, Public Information Officer, PTDC, Puducherry.

2. ✓ The Officer - in - Charge, } NIC, With a request to upload the
Chief Secretariat Building, } entire content of Appeal proceedings and
Puducherry. } order in the Website of Puducherry
Government.

SIO, NIC CS
Puducherry.

प्राप्त दिनांक

Received Date

रा.सू.वि.के./NIC

पाडिचेरी/Pondicherry

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23/03/2022

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