

FIRST APPEAL UNDER SECTION 19(1) OF RTI ACT 2005

29

Date : 29.10.2013

To,
First Appellate Authority,
Indian Renewable Energy Development Agency Ltd
3rd Floor, August Kranti Bhawan,
Bhikaji Cama Palace
New Delhi -110 066

Sub : First Appeal under Section 19 (1) of RTI Act.

Sri Gupta
[Signature]
14/11/13
(G. H. S. Arora)

Dear Sir,

I had filed an RTI application on 12.08.2013 for getting information under RTI Act(copy of which is enclosed herewith for your ready reference) to CPIO -Indian Renewable Energy Development Agency Ltd.(IREDA) New Delhi to provide certain information & documents under Right to Information Act.

But even after passing of 70 days we have not received any information whereas as per provisions of RTI Act 2005 the required information must be received to applicant within 30 days from the date of application. The relevant sections under RTI Act say as under:

Section 7 of RTI Act 2005 – Disposal of Request –

(1) Subject to proviso to sub-section(2) of Section 5 or the proviso to sub-section (3) of Section 6, the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the request. either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in section 8 and 9

Provided that where the information sought for concerns the life or liberty of persons, the same shall be provided within forty eight hours of the receipt of the request.

(2) If the Central Public Information Officer or State Public Information Officer, as the case may be, fails to give decision on the request for information within the period specified under sub – section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall be deemed to have refused the request.

Hence as per the provisions of RTI Act 2005 your are requested to provide the information to the applicant without any further delay and take appropriate action against CPIO for not providing the information within stipulated time.

Thanking you,

[Signature]

Appellant's Signature

Name of Appellant : Mr Anshul Singhvi
Address : Chhattisgarh Investment Ltd
1st Floor, Vanijya Bhawan
Raipur (C.G)

Encl : (1) Copy of RTI application dated 12.08.2013

913/AA
CPIO - provide copy of reply
[Signature]
12/11/13

दिनांक (दिन) जारी म. 9613
Director (Fin) Dy No.
दिनांक/ Date 13-11-13

2 NOV 2013
9613

28

Dated:12th August, 2013

To
The Central Public Information Officer,
Indian Renewable Energy Development Agency Ltd.
3rd Floor, August Kranti Bhawan,
Bhikaiji Cama Place, New Delhi-110 066
Ph.no. 011-26717400

Ref:- Your RTI reply no. 236/94/MS/ 2005/IREDA /1757 Dated 22ND July 2013

Subject: -Request of Information under section 6(1) Right to Information Act,2005

Dear Sir,

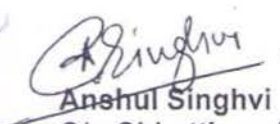
In furtherance of your referred RTI reply pl provide the following information under Right to Information Act :

I) Certified Copies of tariff order (Rs./Kwh) of appropriate State Electricity Regulatory Commission of following states which were considered by IREDA for considering the application of registration from the developers of such state under RPSSGP in the year 2010:-

- i) Chhattisgarh
- ii) Madhya Pradesh
- iii) Rajasthan
- iv) Uttarakhand

Please provide me all the information & documents at the below mentioned address.

With Regards,
Applicant


Anshul Singhvi

C/o Chhattisgarh Investments Limited
1st Floor, Vanijya Bhawan, Devendra Nagar Road, Sai Nagar,
Raipur (C.G.)-492001

Encl: RTI application fee of Rs.10/- by way of IPO Srno No. 19F...429825..

SP RAIPUR GANJ <492009>
EC8911261411N
Counter No:1, OP-Code: SANG
To: CENTRAL PUBLIC INFOR,
DELHI, PIN:110066
From: CG INVESTMENT LTD, RAIPUR
Wt:20grams,
Amt:39.00, 12/08/2013, 13:06
Taxes:Rs.4.00<<Track on www.indiapost.gov.i



अध्यापना COUNTERFOIL
इसे फाइल कर प्रेषक अपने पास रख ले
To be detached and kept
by the Sender.

पोस्टल आर्डर
रुपए 10.00Rs.
POSTAL ORDER

कितने अदा कला
To whom payable **C.P.I.D.**

India Renewable
कित्त हाकपर में **Energy**
At what Office

क्या इसे क्रॉस किया है
Whether crossed

भेजने की तारीख
Date sent **12/08/13**

19F 429825

Date: 12th Nov, 2013

To,
First Appellate Authority,
Indian Renewable Energy Development Agency Ltd.
3rd Floor, August Kranti Bhawan,
Bhikaiji Cama Place, New Delhi-110 066

Sub: Withdrawal of Application of first appeal filed under section 19(1) of Right to Information Act.

Ref: First Appeal under Section 19(1) of RTI Act letter dated 29.10.13

Dear Sir,

With reference to above subject I Anshul Singhvi hereby withdraw my application under above mentioned reference.

With Regards,
Applicant

Anshul Singhvi

Anshul Singhvi
C/o Chhattisgarh Investments Limited
1st Floor, Vanijya Bhawan, Devendra Nagar Road, Sai Nagar,
Raipur (C.G.)-492001

Encl:- Copy of application filed earlier dt.29.10.13 and 12.08.13.

भारतीय सूचना आयोग
G. M. D. OFFICE
14 NOV 2013
9722

AA/DCI
EP
19/11/13
CPD

48

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/III/ 604/1175

Dated: 14th February, 2014

Shri P Kanagasabhavathy
S/o Shri E Pauliah Nadar,
122/1, Beach Road, Near Hindu College,
Nagercoil 629 002
District : Kanyakumari
Tamilnadu

Sub:- Your appeal dated 30th January, 2014 under RTI Act - reply reg.

Dear Sir,

1. This has reference to your appeal vide letter dated 30th January, 2014 seeking a copy of the minutes of the Special Review Meeting held on 1st December, 2000 at Board room, Le Royal Meridien, Chennai in respect of M/s South India Fuel Pvt. Ltd.
2. In this connection, I have perused your appeal viz-a-viz reply of CPIO and provisions of The Right to Information Act, 2005. I agree with the opinion of CPIO. The information sought by you cannot be provided and the same is exempted u/S 8(1)(d) and 8(1)(h) of the RTI Act, 2005.

The appeal is disposed of accordingly.

Yours faithfully



(S K Bhargava)
Director (Finance) and Appellate Authority
under Right to Information Act, 2005

Copy to:- CPIO, IREDA for kind information

O/c

Handwritten initials and date
17/2/14

दिनांक की तारीख... 17/02/14 ... समय... 12:16 pm.
 जारी करने की तारीख... 17/02/14
 द्वारा किसने भेजा
 हस्ताक्षर... *Handwritten signature*

From

P. Kanagasabhavathy
S/o. E. Pauliah Nadar,
122/1; Beach Road,
Near Hindu College,
Nagercoil – 629 002.
Kanyakumari District,
Tamil Nadu.

To

Shri.S.K. Bhargava,
Director (Finance)/Appellate Authority under RTI Act,
Indian Renewable Energy Development Agency Ltd.,
Corporate Office : 3rd Floor,
August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi – 110 066.

Dear Sir

Ref : My RTI Application No : 203/2013 (Number allotted by CPIO/IREDA)
Sub : Submission of 1st Appeal against Reply Letter No: 216/94/MS/2005/IREDA/4971 dated 21.01.2014 from Mr.A.B.Kiran, Asst. G.M. (Law), Central Public Information Officer, IREDA New Delhi which was received by me on 28.01.2014 (copy enclosed)

As per the reference cited above, U/S 8(1) (d) and 8(1) (h) are not applicable in my requirement of information. Hence I request you to kindly consider the following my RTI Application and provide me the reply to the earliest.

I am in need of copy of the Minutes pertaining to Special Meeting-Review of Status of my Project conducted as detailed below

Parties :Applicant's company viz South India Fuel Pvt Ltd, represented by General Manager of Dr.C. Sounthara Pandian, Indian Renewable Energy Development Agency Ltd represented by Shri.DEBASHISH MAJUMDAR; Director (Technical); Shri. T. PRABAKARAN, Director (Finance) and Dr. V. BAKTHAVASALAM; Managing Director.

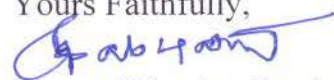
Venue : Board Room, Gound Floor, Le Royal Meridien 1, GST Road, St.Thomas Mount, Chennai – 600 016

Date : 1st day of December 2000

Please inform me the total Number of Pages of the above minutes, Rate per Page for providing copy to me and also Total Amount to be paid and Mode of Payment for getting the above minutes copy.

Date : 30.01.2014,
Place : Nagercoil.

Yours Faithfully,


Signature of the Applicant
P. KANAGASABHAVATHY

निदेशक (वि. प्र.) को. 1248
Director (Fin.) Dy. No.
दिनांक/ Date 4.2.14

04 FEB 2014
1248

CPIO  4/2/14

47
मौजूदा
11/2/14
Sri. A.B. Kiran
This is for reply
9/2/14

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/III/ 598-1115

Dated: 29th January, 2014

Shri P Kanagasabhavathy
S/o Shri E Pauliah Nadar,
122/1, Beach Road, Near Hindu College,
Nagercoil 629 002
District : Kanyakumari
Tamilnadu

Sub:- Your appeal dated 21st January, 2014 under RTI Act - reply req.

Dear Sir,

1. This has reference to your appeal vide letter dated 21st January, 2014 seeking the following document/information:-

- a) A copy of the title report sent by M/s Rangarajan & Prabhakaran to IREDA vide letter dated 16.9.1998;
- b) Date of receipt of letters dated 16.9.1998 and 5.12.1998 written by M/s Rangarajan & Prabhakaran to IREDA; and
- c) Date of dispatch of letter dated 29.11.2000 sent by IREDA to M/s Rangarajan & Prabhakaran.

2. In this connection, I have perused your appeal viz-a-viz reply of CPIO and provisions of The Right to Information Act, 2005. I agree with the opinion of CPIO. The information sought by you cannot be provided and the same is exempted u/S 8(1)(d) and 8(1)(h) of the RTI Act, 2005.

The appeal is disposed of accordingly.

Yours faithfully



(S K Bhargava)
Director (Finance) and Appellate Authority
under Right to Information Act, 2005

Copy to:- CPIO, IREDA for kind information



प्रारंभ की तारीख 29-1-14 समय 4 PM
 जारी करने की तारीख 30-1-14
 डाक लिप्तने भेजा
 हस्ताक्षर [Signature] DCF

1st Appeal to application No:198/2013 under RTI Act 2005

43

From

P. Kanagasabhavathy,
S/o. E. Pauliah Nadar,
122/1, Beach Road,
Near Hindu College,
Nagercoil – 629 002.

To

Shri.S.K.Bhargava,
Director (Finance) / Appellate Authority under RTI Act,
Indian Renewable Energy Development Agency Ltd.,
Corporate Office : 3rd Floor,
August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi – 110 066.

Dear Sir

Ref : Letter No: 216/94/MS/2005/IREDA/4738 dated 06.01.2014 from Mr.A.B.Kiran, Asst.G.M. (Law), Central Public Information Officer, IREDA New Delhi which was received by me on 13.01.2014 (copy enclosed)

As per the reference cited above U/S 8(1) (d) and 8(1) (h) are not applicable in my requirement of information. Hence I request you to kindly consider the following my RTI Application and provide me the reply to the earliest.

This Applicant's company had acquired land on lease for the period of sixty years for Bio Mass Briquetted Fuel Project. (IREDA Project No: 900 regarding). But IREDA's Advocate viz M/S. Rangarajan & Prabhakaran had committed a mistake by mentioned the Title Report that the lease period as six years instead of sixty years. Then the IREDA's Advocate had found and rectified their mistake. This fact can be known from M/s Rangarajan & Prabhakaran Letter dated 05.12.1998 is enclosed herewith as **ANNEXURE – 1**. But IREDA had not rectified the above mistake. This fact can be known from IREDA's letter dated 29.11.2000 is enclosed herewith **ANNEXURE – 2**. Due to this reasons IREDA had not released the second instalment of the loan Rs.5.43 Lakhs to the applicant's company. m/s. Rangarajan & Prabhakaran had sent their Title Report to IREDA on 16.09.1998 under intimation letter only to the applicant company is enclosed herewith as **ANNEXURE -3**.

- 1) I want Title Report copy mentioned in Annexure-3. Hence I request you kindly provide a copy of the Title Report submitted by M/s. Rangarajan & Prabhakaran on 16.09.1998. (Please inform the number of pages of the Title Report, Rate per page, total amount to the paid and the mode of payment for getting the Title Report).
- 2) Please provide the information regarding the date of receipt of **ANNEXURE – 1** by the Despatch section of IREDA.
- 3) Please provide the information regarding the date of receipt of **ANNEXURE - 3** by the Despatch section of IREDA.
- 4) Please provide the information regarding the date on which the **ANNEXURE – 2** was dispatched to M/s. Rangarajan & Prabhakaran viz the date on which it was sent by post from the dispatch section of IREDA.

Thanking you

Yours faithfully,

P. Kanagasabhavathy

Signature of the Applicant

(P. Kanaga Sabhavathy)

Place : Nagercoil
Date : 21.01.2014

D(E)/AA
24 JAN 2014
865

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/III/

421-612

Dated: 25th September, 2013

Shri P Kanagasabhavathy
 S/o Shri E Pauliah Nadar,
 122/1, Beach Road, Near Hindu College,
 Nagercoil 629 002
 District : Kanyakumari
Tamilnadu

Sub:- Your appeal dated 2nd September, 2013 under RTI Act - reply reg.

Dear Sir,

1. This has reference to your appeal vide letter dated 2nd September, 2013 received on 8th September, 2013 seeking the following information:-

- How much loan amount sanctioned and issued by IREDA to M/s Agri Carb Pvt Ltd. (one of the borrower unit) for Biomass Briquetted Fuel Project and also date, month and year of disbursement of sanctioning the loan amount;
- How much the total dues at the time of the final settlement of M/s Agri Carb Pvt Ltd.;
- How much amount of concessions given by IREDA to M/s Agri Carb Pvt Ltd.; and
- After IREDA's concessions how much amount was settled by M/s Agri Carb Pvt Ltd. and also the date, month and year on which the final settlement was done.

2. In this connection, I have perused your appeal viz-a-viz reply of CPIO and agree with the opinion of CPIO. The information sought by you cannot be provided. IREDA is a financial institution extending term loans for new and renewable energy projects. One Time Settlements (OTS) are entered into based on the merit of each case with the objective of recovering maximum amount of dues. The issue of One Time Settlements are of commercial confidence/trade secrets of IREDA since main business of IREDA is on lending and recovery. As such, the same is exempted u/S 8(1)(d) of the RTI Act, 2005 which is reproduced below:-

"8(1)(d) - information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information"

The appeal is disposed off accordingly.

Yours faithfully

संस्थान की तारीख... 26/9/13 समय.....
 जारी करने की तारीख... 26/9/13
 जाक किसने भेजा
 हस्ताक्षर 26/9/13

(S K Bhargava)
 Director (Finance) and Appellate Authority
 under Right to Information Act, 2005

Copy to:- CPIO, IREDA for kind information

o/c

Regd Post with A/D

Appeal to application No: 188/2013 under RTI Act 2005

From

P.Kanagasabhavathy,
S/o.E.Pauliah Nadar,
122/1; Beach Road,
Near Hindu College,
Nagercoil – 629 002.

To

Shri.S.K.Bhargava,
Director (Finance) / Authority under RTI Act,
Indian Renewable Energy Development Agency Ltd,
Corporate Office: 3rd Floor,
August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi – 110 066.

Sub : My RTI Application No : 188/2013 (Copy Enclosed)

Ref : Letter No : 216/94/MS/2005/IREDA/2165 dated 26-08-2013 from
Mr.A.B.Kiran, Asst.G.M.(Law); Central Public Information Officer
which was received by me on 30-08-2013 (copy enclosed)

Sir,

As per the reference cited above U/S 8(1) (d) is not applicable in my
requirement of information. Hence I request you to kindly consider my RTI
Application and provide me the reply to the earliest.

Thanking you,

Place : Nagercoil,
Date : 02-09-2013

Yours faithfully,

(Signature)
(P.Kanagasabhavathy)

Encl : as / above

DLF/AA

*ES - To find out
details.*

3/9/13

05 SEP 2013
7675

74

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/III/

49

Dated: 11th June, 2014

Shri Shivendra Nath Trivedy
House No.63, Opposite Raghunath Petrol Pump,
Bailey Road, Danapur Cantt,
Patna 801 503

Sub:- Your appeal dated 20th May, 2014 under RTI Act – disposal of appeal req.

Dear Sir,

This has reference to your appeal vide letter dated 20th May, 2014 seeking the information on "the procedure for selling a operational grid connected and operational Solar Power Plant set up under the first phase of Jawaharlal Nehru National Solar Mission's Rooftop PV & Small Solar Power Generation Programme (RPSSGP) scheme along with the land on which the project has been set up".

2. In this connection, we have perused the appeal viz-a-viz reply of CPIO and are of the opinion that the desired information has already been provided to you. Moreover, it is the scheme of MNRE on which we cannot comment. As per the provisions of RTI Act, 2005, IREDA can provide the available information/document in the available form only which has already been provided to you.

The appeal is disposed off accordingly.

Yours faithfully



(S K Bhargava)

Director (Finance) and Appellate Authority
under Right to Information Act, 2005

Copy to:- CPIO, IREDA for kind information



प्राप्ति की तारीख..... समय.....
जारी करने की तारीख 12-6-14
डाक किसने भेजा 12-6-14
हस्ताक्षर 8

68

The Right to Information Act, 2005

First Appeal for Central Government

I.D. No..... Date.....(for office use)

To,

The First Appellate Authority under RTI Act,
Shri S.K. Bhargava,
Director (Finance) / Appellate Authority under RTI Act,
Indian Renewable Energy Development Agency Ltd.,
Corporate Office : 3rd Floor, August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi – 110 066.

Sir,

As I am aggrieved by decision / no decision of Central Public Information Officer, I hereby file this appeal for your kind decision.

1. Details of appellant:

- 1.1 Full Name : Sh. Shivendra Nath Trivedy
- 1.2 Full Address : Sh. Shivendra Nath Trivedy,
House No. 63,
Opposite Raghunath Petrol Pump,
Bailey Road, Danapur Cantt.,
Patna – 801 503.
- 1.3 Phone / Cell No. : 09431011734
- 1.4 Email ID : sntrivedy@gmail.com

2. Details of Central Public Information Officer (CPIO)

- 2.1 Name / Designation : Mr. A.B. Kiran (Asst. General Manager)
(Legal)
- 2.2 Full Address : The Public Information Officer,
Indian Renewable Energy Development
Agency,
India Habitat Center, East Court,

RECEIVED
 02 JUL 2014
 4906

DIR/AA
 ES

22/5/14

Sh 1 of 10

Core – 4A, Lodhi Road,
New Delhi – 11 00 03.

2.3 Name of Public Authority : Indian Renewable Energy Development Agency

3. **Details of RTI Application to CPIO**

Date of Application : 22.04.2014
Mailed on 23.04.2014, by registered post No. RF006441289IN.
Date of receipt by CPIO : 25.04.2014.

4. **Particulars of payment of filing fee:**

Paid Rs. 10/- by IPO No. 73C975891 & 73C975892 of Rs.5/- each of Patna Secretariat Post office.

5. **Details of Information sought:**

Procedure for selling a grid connected & operational Solar Power Plant set up under the first phase of the Jawaharlal Nehru National Solar Mission's Rooftop PV & Small Solar Power Generation Programme (RPSSGP) launched by Ministry of New and Renewable Energy, connected to HT distribution network (below 33kV).

6. **Particulars of Decision of CPIO :**

Letter reference No. : 216/94/MS/2005/IREDA
Date of CPIO's Decision : 16th May, 2014.

Date of receipt of decision by the applicant : 19th May, 2014, by hand.

7. **Brief Facts of the case:**

Information sought is the procedure for selling a operational grid connected and operational Solar Power Plant set up under the first phase of Jawaharlal Nehru National Solar Mission's Rooftop PV & Small Solar Power Generation Programme (RPSSGP) scheme along with the land on which the project has been setup.

8. **Reasons / Grounds for this appeal:**

The information provided by the CPIO is that for change in share holding pattern of the company of the Developer but does not provide any information of the procedure to be adopted by a Private Company which has established a Solar Power Plant under under the first phase of Jawaharlal Nehru National Solar Mission's Rooftop PV & Small Solar Power Generation Programme (RPSSGP) scheme can sell the same operational Plant to another company / firm/ individual which shall include the plant and machinery installed at the set Solar Power plant along with the Land on which the project has been setup.

9. Any other information in support of appeal:

10. Prayer / relief sought for:

Reply to the information sought from the CPIO with regards to my RTI application dated 22.04.2014.

11. Grounds for prayer / relief sought for:

First appeal under Section 19 (1) of the Right to Information Act, 2005.

12. Personal Presence at Hearing : YES / No : Yes.

13. Enclosures : Photocopies of original RTI application with its enclosures, postal proof of mailing, decision letter of CPIO.

14. Declaration:

I hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with any information commission nor is pending with any court or tribunal or authority.

Place : Patna

Date : 20.05.2014.

Shivendra Nath Triwedy
Signature of Applicant

55

BY SPEED POST

To
Sh. S K Bhargava
Director(Finance)/Appellate Authority
IREDA , August Kranti Bhavan
3rd Floor, Bhikaji Cama Place,
New Delhi-110066

Date: 11/03/2014

Sub: Appeal against my application dated 20/01/2014 under RTI Act, 2005

Sir,

- 1) Vide my captioned RTI application I requested for my attendance particulars for 20th & 21st March 2006, by mentioning therein the time of my 'IN' at IREDA office and 'OUT' from the IREDA office.
- 2) I am provided my attendance sheet for the month of March 2006. The left side of attendance sheet is so black that its contents are not visible.
- 3) In view of the above it is requested to kindly give my attendance particulars for 20th & 21st March 2006, by mentioning the time of my 'IN' at IREDA office and 'OUT' from the IREDA office on IREDA letter head in the below mentioned format.

Attendance Particulars of Sh. Thakur Prasad (Emp No 089)

Date	Office IN Time	Office OUT Time

With regards

Thakur Prasad, Ex AGM
Emp No. 089
170-C2 Block, Gali No – 04
Mahavir Enclave-1, New Delhi-110045

Handwritten notes:
@ 25
12/3/2014

Handwritten notes:
DLS/AA

13 MAR 2014
2493

57

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/III/ 1728

Dated: 21st March, 2014

Shri Thakur Prasad,
Ex-AGM, IREDA,
170-C2 Block, Gali No. 04,
Mahavir Enclave-1,
New Delhi 110 045.

Sub:- Your appeal dated 11th March, 2014 under RTI Act - reply reg.

Dear Sir,

1. This has reference to your appeal vide letter dated 11th March, 2014 seeking your attendance particulars for 20th and 21st March, 2006 on IREDA letter head in the format prescribed by you on the premise that the left side of attendance sheet is so black that its contents are not visible.
2. In this connection, we have obtained a copy of your complaint dated 20th January, 2014 and its reply with annexure from CPIO vide letter dated 14th February, 2014.
3. In this regard, we have perused your appeal and its reply with annexure from CPIO vide letter dated 14th February, 2014 and are of the view that the information sought has already been provided to you under the provisions of RTI Act 2005. The annexure to the reply was also certified by DM (HR) as per office records. The attendance particulars sought by you in the form of a certificate on IREDA letter head from the Appellate Authority in appeal is not as per the provisions of RTI Act, 2005 hence the same is denied.

The appeal is disposed off accordingly.

Yours faithfully

तारीख 21-3-14
 ज्ञानी करने की तारीख 21-3-14
 डाक किसने भेजा
 हस्ताक्षर

(S K Bhargava)
Director (Finance) and Appellate Authority
under Right to Information Act, 2005

Copy to:- CPIO, IREDA for kind information