

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/II/ 196

Dated: 24th August, 2011

Shri Rajbir Singh Bathla,
78, 2nd Floor, Old Gupta Colony,
Delhi 110 009

Sub:- Appeal dated 23rd August, 2011 under RTI Act – reply req.

Dear Sir,

This has reference to your appeal vide letter dated 23rd August, 2011 seeking certain information under Right to Information Act, 2005. You have enclosed the following documents along with your appeal:-

- i. Application dated 11th July, 2011 addressed to CPIO, IREDA;
- ii. Reply of CPIO vide letter dated 3rd August, 2011 along with enclosures.

In this connection, we have perused your application dated 11th July, 2011 addressed to the CPIO viz-a-viz reply of CPIO and found that the information sought by you has been provided by CPIO. If any additional information/information in the prescribed format is required, you may make a fresh request to the CPIO alongwith the format and prescribed fee. We are providing the website of IREDA as well as MNRE for dissemination of IREDA/MNRE programmes/schemes/details.

<http://www.irega.gov.in>
<http://www.mnre.gov.in>

The appeal is disposed of accordingly.

Yours faithfully,



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

.....

 एस. पी. रेड्डी / S. P. REDDI
 निदेशक (वित्त)
 Director (Finance)
 भारतीय अक्षय ऊर्जा विकास संस्था सीमित
 (भारत सरकार का प्रतिष्ठान)
 Indian Renewable Energy Development Agency Ltd
 (A Govt. of India Enterprise)
 नई दिल्ली-110066 / New Delhi-110066

प्राप्ति की तारीख 24/8/11 समय 15:20 pm
 जारी करने की तारीख 25/8/11
 डाक किसने भेजा
 हस्ताक्षर

211

FIRST APPEAL UNDER SECTION 19 OF THE RIGHT TO INFORMATION ACT, 2005

Dated: 23/08/2011

To,

Shri S.P. Reddi,
Director (Finance) and First Appellate Authority,
Indian Renewable Energy Development Agency Limited
Corporate Office: August Kranti Bhawan, 3rd Floor,
Bhikaji Cama Place, New Delhi – 110 066

A. Contact Details of the Appellant:

1. Name of the Appellant: Mr. Rajbir Singh Bathla
2. Address: 78, 2nd Floor, Old Gupta Colony, Delhi – 110 009
3. Phone: +91-9953321342

B. Details about the RTI Request:

1. Particulars of the CPIO against whose order the appeal is preferred:

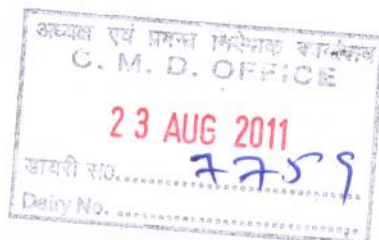
- (a) Name: Mr. S.K. Bhargava
- (b) Designation: General Manager (F&A) & CPIO

2. Date of filing the RTI Application (copy attached as Annexure-I): 11/07/2011

3. Date of the Order of the CPIO abovenamed: 03/08/2011

4. Brief Facts leading to the Appeal:

- (a) That the Appellant had submitted his RTI Application dated 11/07/2011 to Mr. S.K. Bhargava, General Manager (F&A) & CPIO, IREDA seeking the following information under Section 6(1) of the RTI Act. A copy of the same RTI Application is marked as "**Annexure-I**" to the present first appeal form.



D/S
Mr. Bhargava
P. collect the reply & comments from CPIO.
23/8/2011

- (b) That the CPIO has replied to the RTI Application vide his Letter No.216/94/MS/2005/IREDA/2226 dated 03/08/2011. A copy of the CPIO's order is marked as "**Annexure-II**" to the present first appeal form.
- (c) That the information sought under Point III of the RTI Application was requested to be provided in the specific format as has been put up by IREDA on its official website (<http://ireda.gov.in/pdf/GBI%20Projects.pdf>) with respect to Projects registered under the Generation Based Incentive (GBI) scheme as on 25/03/2011. A copy of the said web page is marked as "**Annexure-III**" to the present first appeal form.

5. Grounds of Appeal

The Order of the CPIO has been challenged through the present first appeal under Section 19 of the RTI Act on the following Grounds:

- (a) THAT the information which has been provided by the CPIO, IREDA is incomplete and insufficient and is not in synchronous with what was requested through the RTI Application.
- (b) THAT as per the mandate of Section 7 (9) of the RTI Act, an information shall ordinarily be provided **in the form in which it is sought** unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.
- (c) That since IREDA is *suo motu* providing the information with respect to the GBI Scheme notified on 17/12/2009 in a specific format on its own website, therefore it can certainly also provide information with respect

to the GBI Scheme notified on 23/07/2008 in exactly the same format, as has been requested through the present RTI Application.

6. Prayer:

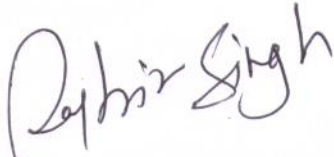
That the First Appellate Authority may be pleased to:

- (a) provide the complete information sought under Point III of the RTI Application with respect to the GBI Scheme notified on 23/07/2008; and
- (b) provide such information in exactly the same manner / format as has been deployed by IREDA while suo motu disclosing similar information on its own website with respect to GBI Scheme notified on 17/12/2009

7. Enclosures:

- (a) RTI Application of the Appellant dated 11/07/2011 (Annexure-I)
- (b) Letter cum Reply of the CPIO, IREDA (Letter No.216/94/MS/2005/IREDA/2226) dated 03/08/2011 (Annexure-II)
- (c) Copy of the webpage whereby IREDA has suo motu disclosed information with respect to the GBI Scheme of 17/12/2009 (as available on <http://ireda.gov.in/pdf/GBI%20Projects.pdf>) (Annexure-III)

Verified on 23rd August, 2011 at New Delhi


(Signature of the Appellant)

Annexure - I.
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APPLICATION SEEKING INFORMATION UNDER THE RTI ACT, 2005

Dated: 11/07/2011

To,

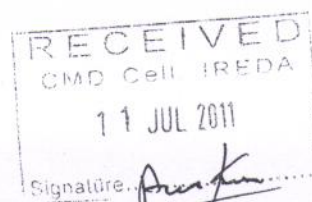
Shri S. K. Bhargava,
General Manager (F & A) & CPIO,
Indian Renewable Energy Development Agency Limited (A Government of India Enterprise)
Corporate Office, 3rd Floor, August Kranti Bhawan,
Bhikaiji Cama Place,
New Delhi – 110 066

From,

Shri Rajbir Singh Bathla,
78, 2nd Floor, Old Gupta Colony,
Delhi – 110 009
Ph: 9810710871

SUBJECT: Seeking information under Section 6 (1) of the RTI Act, 2005

1. The present RTI Application refers to the following MNRE Schemes for Implementation of Generation Based Incentives (GBI) for Grid Interactive Wind Power Projects:
 1. GBI Scheme Notified on July 23, 2008 under file no. 53/1/2008-WE for Implementation of Generation Based Incentives (GBI) for Grid Interactive Wing Power Projects during the remaining period of XI Plan i.e., 2008-09 to 2011-12.
 2. GBI Scheme Notified on December 17, 2009 under same file no. as above (53/1/2008-WE) for Implementation of Generation Based Incentives (GBI) for Grid Interactive Wing Power Projects during the remaining period of XI Plan.



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II. Please note that IREDA has provided on there web site a link containing an updated State wise list of Power producers, with details of their projects commissioned after 17.12.2009, registered with IREDA for Unique Identification Numbers (UINs) under Generation Based Incentive (GBI). The link titled 'Projects Registered for availing Generation Based Incentive (GBI) updated as on 25.03.2011' is available at (<http://www.ireda.gov.in/pdf/GBI%20Projects.pdf>)

III. Hence, under Section 6 (1) of the Right to Information Act, 2005, it is requested that IREDA may kindly provide the following information, in the same format as used by IREDA for providing information under the link shown above:

- a) Name and address of Independent Wind Power Producer *having applied for registration* of their Capacities under *Demonstration Scheme*, dated 23.07.2008, for availing Generation Based Incentive (GBI) for Grid Interactive Wind Power Projects
- b) Name and address of Independent Wind Power Producer registered under Demonstration Scheme, dated 23.07.2008, for availing Generation Base Incentive (GBI) for Grid Interactive Power Projects.

IV. In furtherance of Sec. 7 of the Act, the information requested for shall be provided to the Applicant within a period of 30 days of the receipt of this request.

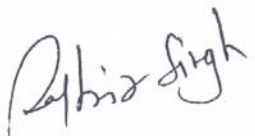
V. I state that the information sought does not fall within the restrictions contained in Sections 8 and 9 of the Act and to the best of my knowledge it pertains to your office.

VI. I also state that I am a citizen of India and I am eligible to seek information under the Act.

VII. A fee of Rs. 10/- has been deposited in ^{Cash} ~~the~~ at the Office of IREDA

vide Receipt No. _____ dated 11/07/11.

Place: New Delhi


(APPLICANT)
(RAJBIR SINGH BATHLA)

Annexure - II

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भारतीय अक्षय ऊर्जा विकास संस्था सीमित
(भारत सरकार का प्रतिष्ठान)

Indian Renewable Energy Development Agency Limited

(A Government of India Enterprise)

IS/ISO 9001 : 2000 Certified

वेबसाइट / website : www.ireda.gov.in
ई-मेल/e-mail : cmd@ireda.gov.in



यदि अविलरित हो तो कृपया लौटारं :

If undelivered, please return to :

भारतीय अक्षय ऊर्जा विकास संस्था सीमित

Indian Renewable Energy Development Agency Limited

कॉर्पोरेट कार्यालय : तीसरा तल, अगस्त क्रांति भवन, भीकाएजी कामा प्लेस, नई दिल्ली - 110 066 दूरभाष : 011-26717400-13, फ़ैक्स : 91-11-2671741
Corporate Office : 3rd Floor, August Kranti Bhawan, Bhikaiji Cama Place, New Delhi - 110 066 Tel. : 011-26717400-13, Fax : 91-11-2671741

बीपीसी, चाणक्यपुरी, पी.ओ.एन.डी.-21
BPC, Chanakyapuri, P.O.N.D.-21
स्पीड पोस्ट बीएनपीएल नं. 630/2009
Speed Post BNPL No. 630/2009
दिनांक/Dated.....वेट / Wt.....



IS/ISO 9001 : 2008 Certified

भारतीय अक्षय ऊर्जा विकास संस्था सीमित

(भारत सरकार का प्रतिष्ठान)

Indian Renewable Energy Development Agency Limited

(A Government of India Enterprise)

कॉर्पोरेट कार्यालय : तीसरा तल, अगस्त क्रांति भवन, भीकाजी कामा प्लेस, नई दिल्ली-110 066

Corporate Office : 3rd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi - 110 066

दूरभाष/Tel.: 011-26717400-12, फैक्स/Fax : 91-11-26717416, ई-मेल/E-mail: cmd@ireda.in, वेबसाइट/Website: www.ireda.gov.in

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Speed Post

216/94/MS/2005/IREDA/ 2226

Dated, the 03RD August 2011

Shri Rajbir Singh Bathla
78, 2nd Floor Old Gupta Colony,
Delhi – 110 009

Sub: Application under RTI Act, 2005.

Dear Sir,

Please refer to your letter dated 11.07.2011 under RTI Act 2005 (received at our end on 12.07.2011). Your letter has been examined and we revert to the same as under:

Sl.No	Information sought	Proposed Reply of IREDA
a	Name and address of Independent Wind Power Producer having applied for registration of their capacities under Demonstration Scheme, dated 23.7.2008, for availing Generation Based Incentive (GBI) for Grid Interactive Wind Power Projects.	A list of name and addresses of independent wind power producer having applied for registration under Demonstration Scheme dated 23.07.2008 for availing Generation Based Incentive (GBI) for Grid Interactive Wind Power Projects is enclosed hereto.
b	Name and address of Independent Wind Power Producer registered under Demonstration Scheme, dated 23.07.2008, for availing Generation based Incentive (GBI) for Grid Interactive Power Projects.	A list of name and addresses of independent wind power producer registered under Demonstration Scheme dated 23.07.2008 for availing Generation Based Incentive (GBI) for Grid Interactive Wind Power Projects is enclosed hereto.

We hope that you will be satisfied with the information provided by us. However, in case you are not satisfied with the above and desire to file appeal against this letter, you may do so by addressing your appeal to the Appellate Authority whose name and address is herein given below.

Shri S.P. Reddi
Director (Finance)/Appellate Authority under RTI Act,
Indian Renewable Energy Development Agency Ltd,
Corp Office : August Kranti Bhawan, 3rd Floor,
Bhikaji Cama Place, New Delhi-110066.

Please also note that the period of limitation under RTI Act is 30 days to prefer the appeal from the date of receipt of this letter.

Thanking you,

Yours faithfully,

(S.K. Bhargava)

General Manager (F&A)

(Central Public Information Officer)

Encl: As above.

Annexure-I

a) Applications received for Registration under Generation Based Incentive Scheme :

No.	Company	Address	Capacity requested for Registration (MW)	Status
1.	M/s. Maharashtra Energy Development Agency	MHADA Commercial Complex, 2nd Floor, Opp. Tridal Nagar, Terwada, Pune – 411 006	6.0	Not Registered
2.	M/s. CLP Wind Farm (I) Pvt. Ltd.	#302, Bostan House, Suren Road, Andheri (East), Mumbai - 400093	132.8	Not Registered
3.	M/s. Indowind Energy Ltd.	603, Keshava, 6th Floor, Bandra Kurla Complex, Bandra East, Mumbai 400 051	7.5	Not Registered
4.	M/s. Generacion Eolica India Ltd.	M/s. Generation Eolica India Ltd. C/o T.M. Khurmi & Co. Company Secretaries 12/13, Esplanade, Third Floor, 3, Amrit Keshav Nayak Marg, Fort, Mumbai – 400 001	16.80	Part Project Registered
5.	M/s. BP Energy India Pvt. Ltd	M/s. Green Infra Wind Energy NBCC Plaza, Tower II, 2 nd Floor, Pushp Vihar, Sector-V, Saket, New Delhi – 110 017	37.95	Part Project Registered
6.	M/s. Gujarat Paguthan Copn. Pvt. Ltd.	M/s. Gujarat Phaguthan Energy Corporation 15 th Floor, Oberoi Commerz, International Business Park, Oberoi Garden City, Off. Western Express Highway, Goregaoin (East), Mumbai – 400 063	34.40	Part Project Registered
7.	M/s. Simran Wind Projects Pvt. Ltd.	M/s. Simran Wind Project Pvt. Ltd. 2F & 3F, Park Plaza, North Block, 71 Park Street, Kolkata – 700 016	7.50	Project Registered
8.	M/s. Accion Wind Energy Pvt. Ltd.	C1-001, Tower C, Ground Floor, The Millenia, No. 1 & 2, Murphy Road, Ulsoor, Bangalore – 560 008	16.5	Not Registered

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9.	M/s. Roaring Wind Farms (Khandke) Pvt. Ltd.	#302, Bostan House, Suren Road, Andheri (East), Mumbai - 400093	14.4	Not Registered
10.	M/s. Belgaum Wind Farms Pvt. Ltd.	No.9, 2nd Floor, Dattatraya Road, Gandhi Bazaar, Basavanagudi, Bangalore-560004	24.8	Not Registered
11.	M/s. Super Wind Project Pvt. Ltd.	Branch Office: 10, 3rd Floor, Wellington Plaza, Chennai - 600 002 Regd. Office: 3rd Floor, Sai-Hira, Mundhwa Road, Pune, Maharashtra - 411 001	45.00	Not Registered
12.	M/s. Enercon Wind Farms (Sai) Pvt. Ltd.	Kolsite House, Plot No. 31, Shah Industrial Estate, Veera Desai Road, Andheri (West), Mumbai - 400 053	15.20	Not Registered
13.	M/s. Simran Wind Projects Pvt. Ltd.	3rd Floor, Sai-Hira, Mundhwa Road, Pune, Maharashtra - 411 001	16.8	Not Registered

b) Projects registered under GBI Scheme

No.	Company	Capacity requested for Registration (MW)	Capacity Registered (MW)	Status
1.	M/s. Generacion Eolica India Ltd.	16.80	11.20	Project Registered
2.	M/s. BP Energy India Pvt. Ltd	37.95	19.80	Project Registered
3.	M/s. Gujarat Paguthan Copn. Pvt. Ltd.	34.40	10.40	Project Registered
4.	M/s. Simran Wind Projects Pvt. Ltd.	7.50	7.50	Project Registered

Statewise List of Projects with WTGs Commissioned after 17.12.2009 Registered with IREDA for Unique Identification Numbers (UINs) under Generation Based Incentive (GBI) not availing AD under Section 44AB of Income Tax Act

Name of State/ Name of Wind Power Producer	Date of Receipt of Application	District	Project Capacity (MW)	Cap for Registration (MW)	Capacity Com'ed (MW)	No and Cap of each WTG (KW)	Make of WTGs	Project Registration No	Project Registration Date	Unique Identification Number (s)	Date (s) of Commissioning
TAMILNADU											
VEEJAY SALES AND SERVICES LIMITED	27/10/2010	DINDIGUL	0.8	0.8	0.8	1 800	Enercon	GB0036	26/11/2010	GB0036U001	1 X 16/09/2010
TAMILNADU (1 No.)			0.8	0.8	0.8	1					
Tamil Nadu											
Airstream	17/09/2010	Tirunelveli	0.8	0.8	0.8	1 800	Enercon	GB0030	24/09/2010	GB0030U001	1*13/7/2010
Ambika Cotton Mills Limited	19/10/2010	Theni	1.5	1.5	0	2 1500	Vensys 77	GB0033	09/11/2010	GB0033U001	1 X 26/08/2010
Ambika Cotton Mills Limited	13/10/2010	Theni	1.5	1.5	0	2 1500	Vensys 77	GB0034	10/11/2010	GB0034U001	1 X 26/08/2010
CLP Wind Farms (India) Pvt Ltd	28/04/2010	Theni	49.5	49.5	21.45	13 1650	Vestas	GB0005	19/05/2010	GB0005U001 to GB0005U0013	13*24/03/2010
CLP WIND FARMS (THENI-PROJECT II) PRIVATE LIMITED	20/10/2010	THENI	49.5	49.5	0	0 1650	Enercon	GB0039	30/11/2010	GB0039U001,GB0039U002,GB0039U003,GB0039U004,GB0039U005,GB0039U006,GB0039U007,GB0039U008,GB0039U009,GB	10 X 02/07/2010, 20 X 25/06/2010

Annexure - III
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Name of State/ Name of Wind Power Producer	Date of Receipt of Application	District	Project Capacity (MW)	Cap for Registration (MW)	Capacity Com'd (MW)	No and Cap of each WTG (KW)	Make of WTGs	Project Registration No	Project Registration Date	Unique Identification Number (s)	Date (s) of Commissioning
NuPower Renewables Limited	24/12/2010	Theni	9	9	0	0 1500	Enercon	GB0050	27/01/2011	GB0050U001,GB0050U002, GB0050U003,GB0050U004, GB0050U005,GB0050U006	6 X 30/09/2010
P A Nanjappa Gounder	26/07/2010	Tirupur	0.25	0.25	0.25	1 250	Pioneer Wincon	GB0017	29/07/2010	GB0017U001	1*31/03/2010
PARIYUR AMMAN LOGISTICS	23/11/2010	TIRUPUR	0.225	0.225	0.225	0 225	Enercon	GB0040	01/12/2010	GB0040U001	1 X 31/03/2010
Pramas Tea Industries	20/08/2010	Tirupur	0.25	0.25	0.25	1 250	Southern Wind Farms	GB0022	30/08/2010	GB0022U001	1*31/03/2010
R.S. Yams (Tirupur) Pvt. Ltd.	26/05/2010	Tirunelveli	1	1	1	1 1000	WinWinD	GB0006	31/05/2010	GB0006U001	1*27/03/2010
Rasi G-Energy Pvt Ltd	15/07/2010	Tiruppur	1.5	1.5	1.5	1 1500	Suzlon	GB0021	24/08/2010	GB0021U001	1*27/05/2010
Sakthi Murugan Roller Flour Mills Ltd.	18/08/2010	Tirupur	0.25	0.25	0.25	1 250	CWEL	GB0023	30/08/2010	GB0023U001	1*31/03/2010
SEP Energy Pvt Ltd	03/08/2010	Tirunelveli	0.5	0.5	0.5	2 250	Shriram EPC	GB0020	09/08/2010	GB0020U001 and GB0020U002	2*24/3/2010
Sri Dhanalakshmi Sizing and Spinning Mill	10/09/2010	Tirunelveli	6	6	6	10 600	RRB	GB0027	17/09/2010	GB0027U001 to GB0027U010	2*14/7/10, 1*24/5/2010, 4*31/3/2010, 1*28/5/2010, 1*30/3/2010 & 1*11/03/2010 and 1*11/03/2010
Sri Navamani Wind Farms	15/06/2010	Tirupur	0.5	0.5	0.5	2 250	Pioneer Wincon	GB0012	05/07/2010	GB0012U001 and GB0012U002	1*11/03/2010 and 1*11/03/2010

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Name of State/ Name of Wind Power Producer	Date of Receipt of Application	District	Project Capacity (MW)	Cap for Registration (MW)	Capacity Com'd (MW)	No and Cap of each WTG (KW)	Make of WTGs	Project Registration No	Project Registration Date	Unique Identification Number (s)	Date (s) of Commissioning
Cepco Industries Pvt. Ltd.	02/06/2010	Jaisalmer	6.4	6.4	6.4	8	Enercon	GB0009	08/06/2010	GB0009U001 to GB0009U008	8*06/03/2010
Cepco Industries Pvt. Ltd.	25/05/2011	Jodhpur	4	4	4	4	Enercon	GB0056	03/03/2011	GB0056U001,GB0056U00 2,GB0056U003,GB0056U 004,GB0056U005	5 X 11/12/2010
F.C. Properties & Developers Pvt. Ltd.	31/05/2010	Jaisalmer	0.8	0.8	0	1	Enercon	GB0032	08/11/2010	GB0032U001	1 X 31/03/2010
IL&FS Energy Development Company Limited	24/12/2010	Jaisalmer	38.4	38.4	38.4	38	Enercon	GB0044	04/01/2011	GB0044U001,GB0044U00 2,GB0044U003,GB0044U 004,GB0044U005,GB0044 U006,GB0044U007,GB00 44U008,GB0044U009,GB 00028U001	12 X 05/09/2010, 15 X 24/09/2010, 1 X 25/09/2010, 20 X 30/09/2010
Kishco Ltd	16/09/2010	Jaisalmer	0.8	0.8	0.8	1	Enercon	GB0028	24/09/2010	GB0028U001	1*3/9/2010
KN.Muthiah	13/12/2010	Jaisalmer	2.1	2.1	2.1	2	Enercon	GB0053	27/01/2011	GB0053U001	1 X 11/09/2010
KN.Muthiah	13/12/2010	Jaisalmer	2.1	2.1	2.1	2	Enercon	GB0054	27/01/2011	GB0054U001	1 X 11/09/2010
M.Kannappan	13/12/2010	Jaisalmer	2.1	2.1	2.1	2	Enercon	GB0051	27/01/2011	GB0051U001	1 X 24/09/2010
M.Kannappan	13/12/2010	Jaisalmer	2.1	2.1	2.1	2	Enercon	GB0052	27/01/2011	GB0052U001	1 X 24/09/2010
Maharashtra Gujrat Transport Services	16/12/2010	Jaisalmer	0.6	0.6	0.6	1	Enercon	GB0043	16/12/2010		

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Name of State/ Name of Wind Power Producer	Date of Receipt of Application	District	Project Capacity (MW)	Cap for Registration (MW)	Capacity Com'ed (MW)	No and Cap of each WTG (KW)	Make of WTGs	Project Registration No	Project Registration Date	Unique Identification Number (s)	Date (s) of Commissioning
Karnataka											
CLP Wind Farms (India) Pvt Ltd	20/04/2010	Belgaum	82.4	82.4	60	75	Enercon	GB0003	06/09/2010	GB0003U001 to GB0003U026 and GB0003U027 to GB0003U075	23*04/03/2010, 3*31/03/2010, 9*17/05/2010, 20*23/06/2010 and 20*03/08/2010
Karnataka (1 No.)			82.4	82.4	60	75					
Gujarat											
Black Rose Industries Ltd	14/04/2010	Rajkot	0.8	0.8	0.8	1	Enercon	GB0007	31/05/2010	GB0007U001	1*15/04/2010
CLP Wind Farms (India) Pvt Ltd	31/03/2010	Jamnagar & Rajkot	46.4	46.4	38.4	48	Enercon	GB0001	06/09/2010	GB0001U001 to GB0001U043, GB0001U044 to GB0001U046 and GB0001U047 to GB0002U001 to GB0002U008	23*04/03/2010, 13*06/03/2010, 7*25/3/2010, 2*07/06/2010, 1*17/6/2010 and 5*25/06/2010 and 03*12/07/2010
Vaayu (India) Power Corporation Pvt.Ltd.	06/09/2010	Rajkot / Jamnagar	51.2	6.4	6.4	8	Enercon	GB0024	08/09/2010		
Gujarat (3 Nos.)			98.4	53.6	45.6	57					
Andhra Pradesh											
Vaayu (India) Power Corporation Pvt.Ltd.	06/09/2010	Kurnool	50.4	4.8	4.8	6	Enercon	GB0025	08/09/2010	GB0025U001 to GB0025U006	6*02/08/2010
Andhra Pradesh (1 No.)			50.4	4.8	4.8	6					
Grand Tot (58 nos)			543.4	409.8	288.8	329					

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/II/ 98

Dated: 6th July, 2011

Ms. P Uma Devi
26-115/1, BN 424,
Balram Nagar, Safilguda,
Malkajgiri
Hyderabad 500 047.

Sub:- Application under RTI Act – OTS details of M/s Harsha Power Project Pvt. Ltd.

Dear Madam,

This has reference to your letter dated 29th June, 2011 addressed to the Appellate Authority of IREDA seeking copy of enclosure containing details of demand drafts for Rs.35,03,781/- under Right to Information Act, 2005.

In this connection, it is informed that the information desired by you vide your letters dated 9th March, 2011 and 1st June, 2011 has already been furnished.

It is informed that as per the system/set procedure, normally we are not keeping xerox copy of the cheques/demand drafts received from the borrowers which are deposited with our bankers for encashing.

If any other information is required, you make a fresh application to the concerned authority i.e. CPIO, IREDA and seek specific question as per the provisions of Right to Information Act, 2005. The Indian Postal Order No. 94E 872358 dated 29.6.2011 for Rs.10/- submitted by you is returned herewith.

The appeal is disposed off accordingly.

Yours faithfully,



(S P Reddi)

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

Encl:- As above

प्राप्ति की तारीख.....	06/07/11	समय.....	11-35 AM
जारी करने की तारीख.....	6/7/11		
डाक किसने भेजा	DCF		
हस्ताक्षर	8		

Dt. 29.06.2011

From:
P. Uma Devi,
26-115/1, BN 424,
Balram Nagar, Safilguda,
Malkajgiri,
Hyderabad 500 047.

To:
Shri S.P Reddi,
Director (Finance) / Appellate Authority under RTI Act
Indian Renewable Energy Development Agency Limited (IREDA)
3rd Floor, August Kranti Bhavan,
Bhikaji Cama Place,
New Delhi 110 066.

Sir,

Sub: Application under RTI ACT – Harsha Power Project Pvt Ltd, Medak
Dist,AP Project No. 870.

- Ref: 1) My letter dated 09-03-2011 addressed to CAPIO, IREDA, New Delhi.
- 2) Your reply letter No. 216/94/MS/2005/IREDA/49 Dt. 04-04-2011.
- 3) My letter dated 02-05-2011 addressed to Director (Finance)/ Appellate authority under RTI Act.

I am in receipt of your letter Ref: 216/94/MS/2005/IREDA/1032 dated 01-06-2011 at our end on 06-06-2011 confirming that an amount of Rs 35,03,781/- was paid by Harsha Power Projects Pvt. Ltd., (Project No. 870) on 09.11.2006 by way of Demand Drafts, under OTS sanctioned. Also understand that the Demand Drafts were deposited by you in Union Bank of India. However, enclosure containing details of Demand Drafts for Rs. 35,03,781/- is not enclosed to this letter. Hence, I once again request you to furnish the particulars of Demand Drafts per return and oblige.

I am enclosing herewith Postal Order No. 94E 872358 dt. 29-6-2011 for Rs. 10 towards requisite fees. Please acknowledge and do the needful.

Thanking you,

Mr. h.p. Reddy
P. Uma Devi
1.7.2011

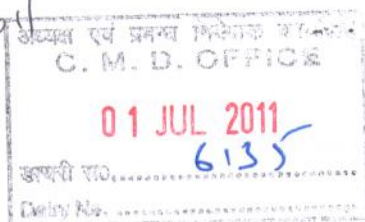
P(U)/MA

Yours sincerely,

P. Uma Devi

(P. Uma Devi)

Encl: As above.



D (F)/DY. NO.
DATE.....



P & R ENGG. SERVICES
CONSULTANTS & CONTRACTORS

H.O. & ADMN. : QUIET OFFICE No. 7, 1ST & 2ND FLOOR, SECTOR 35-A
CHANDIGARH - 160 036 PHONE : 0172-2647937, 5017260, 5081154
FAX : 0172-3076296 E-mail : pril@pnrgroup.in,
Website : www.pnrgroup.in

Ref: PRES/BRAHAMGANGA-HEP/HARISON/2011/001

Dt:13.12.2011

To,

Shri S.P. Reddi,
Director(Finance)Appellate Authority
Under RTI Act,
Indian Renewable Energy Development Agency Ltd,
Copr office: August Kranti Bhawan, 3rd Floor,
Bhikaji Cama Place, New Delh-110066

Sub: Appeal for supply of information under RTI Act in respect of supply of copies of Final Bills of M/s P&R Engg. Services Chandigarh, submitted by M/s Harison Hydel Construction Co. Pvt. Ltd. -Kullu-HP In regard to the construction of 5 MW Brahamganga HEP.

Ref: IREDA letter No. 216/94/MS/2005/OREDA dated 11th December, 2011, received on 13.11.2011.

Dear

Through our letter dated 05.11.2011 we had asked IREDA to supply us the copies of final bills of the following works, allotted to us by M/s Harison Hydel Construction Co. Pvt. Ltd. Akhara Bazar, Kullu and completed by us:-

1. Civil works of Brahamganga (2 X 2500KW) Hydro Electric Projects- Himachal Pradesh Bid No. HHCCPL-2444/Civil works/001 dt. 31.05.2004. (Photocopies of LOI's Attached)
2. Hydromechanical works of (2x2500MW) HE Project as per Specification No. HHCCPL-2004/H-M/002 dated 13th July 2004.(Photocopies of LOI's attached.

For me
M. K. Sharma
16.12.2011

14 DEC 2011
11526

DLB

In regard to the above request the IREDA , vide letter No. 216/94/MS/2005/IREDA dated 11.11.2011 has replied as follows:-

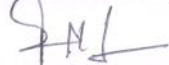
Sl. No	Information sought	Reply of IREDA
1.	Copies of final bills of M/s P&R Engineering Services, Chandigarh, submitted by M/s Harison Hydel Construction Co. Pvt. Ltd., Kullu, HP in regard to the construction of 5 MW Brahamganga HEP, financed by IREDA	<p>The information sought by you falls under section 8(1) (d) and 8(e) of the RTI Act, 2005, which are as under.</p> <p>Section 8. (1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen:-</p> <p>(d) information including commercial confidence trade secrets or intellectual property, the disclosure of which would harm the competitive position of a this party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;</p> <p>(e) information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;</p> <p>Accordingly , we are withholding the same under Section 8 (1) (d) and 8 (1) (e) of the RTI act, 2005</p>

However, It is not to correct to say that the information sought by us falls under Section-8 of the RTI Act, 2005 because what we are demanding are our own bills, which M/s Harison has refused to give despite requests. Since these documents are not the sole property of M/s Harison because they have used our name to draw installments of advance of term loan from IREDA, we are an equal party for this commercial dealings. Therefore, it is in larger interest of public to ensure that the amounts of terms loans secured by Harison are not mis-appropriated and failure to disburse the same to the deserving party amounts to encouraging M/s Harison to adopt corrupt practices, which need to be curbed.

In the light of above facts, it is appealed that the demanded documents may please be supplied to us at the earliest.

Thanking you,

Yours faithfully,


(Paveljeet Singh)

Sole -Proprietor

Encl: Copies of Letters of P&R & IREDA

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/11/495

Dated: 19th December, 2011

Shri Paveljeet Singh
 Proprietor,
 M/s P&R Engg. Services,
 Consultants & Contractors,
 H.O. & Admn Quiet Office No.7, 1st & 2nd Floor,
 Sector 35-A,
Chandigarh 160 036

Sub:- Your appeal dated 13th December, 2011 under RTI Act - reply req.

Dear Sir,

1. This has reference to your appeal vide letter dated 13th December, 2011 received on 14th December, 2011 seeking the copies of final bills of the following works allotted to you by M/s Harison Hydel Construction Co. Pvt. Ltd., Akhara Bazar, Kullu under Section 19 of the Right to Information Act, 2005:-

- a) Civil works of Brahamganga (2x 2500 KW) Hydro Electric Projects – Himachal Pradesh Bid No. HHCCPL-2444/Civil Works/001 dt.31.05.2004; and
- b) Hydrochemical works of (2x2500MW) HE Project as per specification No.HHCCPL-2004/H-M/002 dated 13th July, 2004.

2. In this connection, CPIO has provided copy of his reply dated 11th November, 2011. I have perused the reply of CPIO dated 11th November, 2011 and your appeal dated 13th December, 2011.

3. In this regard, I am to inform you that the said information is barred under Sections 8(1)(d) and 8(1)(e) of RTI, 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;

8(1)(e) information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information.

प्रति की तारीख... 19/12/11 समय... 5:25 PM
 जारी करने की तारीख... 20/12/11
 क किसने भेजा... D(11)
 हस्ताक्षर... [Signature]


228

[2]

4. Now, you have to seek the desired information from M/s Harison Hydrel Construction Co. Pvt. Ltd. who might have engaged your services.

The appeal is disposed off accordingly.

Yours faithfully,


19.12.2011

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



VIVEK SINGH

ADVOCATE

20-A, Lawyers Chambers,
Supreme Court, New Delhi-110001.
Tel. Nos: Off:- 23385275, 23386914.
Fax:-23385245, Res:-22379720,43533634;
Mobile No.:- 9213329800

23 /
149/6/2012
30/1/12

Dated: 25.01.2012

Sri S.P.Reddi,

Director Finance/Appellate Authority under RTI Act
Indian Renewable Energy Development Agency Ltd,
Corp Office: August Kranti Bhawan, 3rd floor,
Bhikaji Cama Place, New Delhi-110066.

This

Sub: Appeal under section 19 of the Right to Information Act
2005. Against refusal of the Central Public Information Officer
IREDA to provide information vide his letter no.216 /94/MS
/2005/ IREDA/5506 dated: 29-12-2011

Sir,

I had applied for information vide my letter dated:24-11-2011
to the Central Public Information Officer IREDA for the
following information:-

1. A detailed list of cases mentioning case numbers, name of
court etc. filed till date against M/s Satyanarayana Power Ltd.
2. Status in respect of letter/complaint addressed to the SHO RK
Puram Police Station, New Delhi filed by IREDA vide letter
No.221/1951/GNG/2000/IREDA dated 09-05-2011 about
registering a FIR. Details of FIR numbers name of the
Investigating Officer.

D (F)/DY. NO. 965
DATE. 30-1-12

CP 30/1/2012

Residence : 172, Pushpanjali, Vikas Marg Extn., Delhi-110092

30-1-2012
D(F) / AA

30 JAN 2012
965

VIVEK SINGH

ADVOCATE

20-A, Lawyers Chambers,
Supreme Court, New Delhi-110001.
Tel. Nos: Off:- 23385275, 23386914.
Fax:-23385245, Res:-22379720, 43533634;
Mobile No.:- 9213329800

230

Vide letter dated: 29-12-2011 of the Central Public Information Officer IREDA the above information have been refused on the ground that there is no provision in the RTI Act which empowers one person to seek information on the behalf of other. It is submitted that the information sought have been refused illegal/erroneous grounds because the Central Public Information Officer IREDA had no reason to come to the conclusion that the information sought by me was not on behalf of Shri S.Satnarayan Rao but by me in my personal capacity. It is further submitted that an applicant making a request for information shall not be required to give any reason for requesting the information in terms of section 6 of the RTI Act 2005. Therefore, whether I am applying for the information in my capacity or in representative capacity is irrelevant and in this view of the matter the reason advanced to deny the information is illegal.

Prayer:

In view of the foregoing it is requested that this appeal should be allowed and the Central Information Officer IREDA should be directed to provide the information requested. *vide letter dt 24.11.2011.*

Yours faithfully

Vivek Singh
VIVEK SINGH

Residence : 172, Pushpanjali, Vikas Marg Extn., Delhi-110092

244

By Registered Post/Ad

No. IREDA/DF/RTI/2006-07/III /31

Dated: 13th February, 2012

Shri Vivek Singh
Advocate,
20-A, Lawyers Chambers,
Supreme Court,
New Delhi 110 001

Sub:- Your appeal dated 25th January, 2012 under RTI Act - reply req.

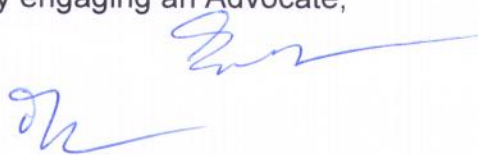
Dear Sir,

1. This has reference to your appeal vide letter dated 25th January, 2012 received on 30th January, 2012 seeking certain information on behalf of IREDA's defaulting borrower i.e. Shri S Satyanarayana Rao, promoter of M/s Satyanarayana Power Pvt. Ltd. The information sought are as under:-

- a) A detailed list of cases mentioning case numbers, name of court etc. filed till date against M/s Satyanarayana Power Ltd;
- b) Status in respect of letter/complaint addressed to the SHO, R K Puram Police Station, New Delhi field by IREDA vide letter No.221/1951/GNG/2000/IREDA dated 9.5.2011 about registering a FIR. Details of FIR numbers name of the Investigating Officer.

2. We have perused your appeal viz-a-viz reply of CPIO and our observations are as under:-

- a) Part information has been provided by CPIO to Shri S Satyanarayana Rao, your client;
- b) Shri S Satyanarayana Rao promoter of M/s Sri Satyanarayana Power Pvt. Ltd. is a defaulting borrower of IREDA;
- c) There is no provision under RTI which empowers or authorize one person to seek information on behalf of other/s by engaging an Advocate;



Page 1 of 2

प्राप्ति की तारीख 12-2-12 समय.....
जारी करने की तारीख 18-2-12
डाक किसने भेजा DCF
हस्ताक्षर 2

d) Moreover, the balance information desired by you is barred under Section 8(1)(d), 8(1)(h) and 8(1)(j) of RTI, 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;

8(1)(h) - information which would impede the process of investigation or apprehension or prosecution of offenders; and


8(1)(j) - information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information”.

The appeal is disposed off accordingly.

Yours faithfully,



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


एस. पी. रेड्डी / S. P. REDDI
निदेशक (वित्त)
Director (Finance)
भारतीय अक्षय ऊर्जा विकास संस्था सीमित
(भारत सरकार का प्रतिष्ठान)
Indian Renewable Energy Development Agency Ltd
(A Govt. of India Enterprise)
नई दिल्ली-110066 / New Delhi-110066

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The Right to Information Act, 2005

First Appeal before Appellate Authority

To
Appellate Authority under RTI Act
IREDA, Core 4A, East Court, India Habitat Centre
Lodi Road, New Delhi - 110003.

Sri G. S. Rao
Pr. Singh
[Signature]
11/9

Sir,

a) RTI Application dated 17.05.2012

Please refer my RTI Application dated 05 JULY 2012

b) Full Name :

Pritam Singh

c) Address :

E-28, Sector-4, DIZ Area, Gole Market, ND -1

1.5 Email ID :

pritam Singh208@hotmail.com

IREDA reply dated 03rd Aug, 2012 received.

In this regard following is submitted:

- Received misleading information against all the queries raised in RTI application dated 05.07.2012.
- CPIO has taken exemption of Section 8 & 2 with sub-clauses of RTI Act. Kindly note that the above information did not falls under the said exemptions. Since, there is suspicion about misutilization of government funds to give undue monetary advantage to Consultants working/ worked in IREDA by IREDIAs. The provided information will be forwarded to Ministry of Finance/ CAG for their information.

1. Reasons/grounds for rejoinder:

Place: New Delhi

Date: 24.08.2012

अध्यक्ष एवं निदेशक कार्यालय, इरेडा
भारत पर्यावास केन्द्र नई दिल्ली
12 SEP 2012
CMD Cell, IHC New Delhi
डायरी नं.8808.....

[Signature]
Signature

8808/D1
13/9/12
D(T)
AGM (Law)

I have not seen any communication about me as Appellate Authority. However it must draft reply - [Signature]

No. IREDA/DF/RTI/2006-07/III/ 2873

Dated: 12th October, 2012

Shri Pritam Singh
E-28, Sector 4,
DIZ Area, Gole Market
New Delhi – 110 001

Dear Sir,

First Appeal before the Appellate Authority IREDA against RTI Application dated 17.5.12 and CPIO,IREDA Reply letter dated 03.08.12

We refer to your Appeal dated 24.08.12 received at IREDA on 12.09.12 against the Reply Letter dated 03.08.12 of CPIO,IREDA in response to your application dated 19.5.12 (Received at IREDA on 10.7.12). In your Appeal you have stated as under :

- Received misleading information against all the queries raised in your RTI application.
- CPIO has taken exemption of Section 8 and 2 with sub-clauses of RTI Act. Kindly note that the above information did not falls under the said exemptions. Since, there is suspicion about misutilization of Govt. funds to give undue monetary advantage to Consultants working/worked in IREDA by IREDIAs. The provided information will be forwarded to Ministry of Finance/CAG for their information.

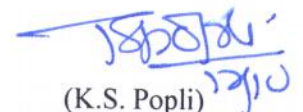
We have perused the contents of your Appeal, RTI Application for seeking information/data and Reply of CPIO,IREDA on your letter seeking information/data under RTI as above and we revert back to you as under :

- On careful examination of the reply pointwise, I am of the view that the information pertains to third parties, the information which has not been provided by CPIO to you is exempted u/s 8(1)(d) and (j) as also 2(f) of the RTI Act. It is to clarify that the guidelines of Dept. of Public Enterprises (DPE) are applicable to IREDA. There are no specific guidelines issued by DPE governing the appointment of consultants. Further, Sh. O.M.Solanki, is no more engaged with IREDA.

The Appeal is disposed off accordingly.

Thanking you,

Yours faithfully,



(K.S. Popli)
Director (Technical)/
Appellate Authority under RTI

K.S. Popli
Director (Technical)/
Appellate Authority under RTI

IHC/03/12/10/12

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

Dated: 11th October, 2012

Shri Pritam Singh
E-28, Sector 4
DIZ Area
Gole Market
New Delhi - 110 001

Speed Post

Dear Sir,

First Appeal before the Appellate Authority IREDA against RTI Application dated 24.7.12 (Received at IREDA on 26.7.12) and CPIO,IREDA Reply letter dated 16.08.12

We refer to your Appeal dated 27.08.12 received at IREDA on 12.09.12 against the Reply Letter dated 16.08.12 of CPIO,IREDA in response to your application dated 24.7.12 (Received at IREDA on 26.7.12). In your Appeal you have stated as under :

- Received misleading information against all the queries raised in your RTI application.
- CPIO has taken exemption of Section 8(1)(j) of RTI Act which is wrong since information regarding disciplinary proceedings cannot be denied u/s 8(1) (e),(g) or (j).
- Please refer Hon'ble Delhi HC Order which is self-explanatory. Please also refer Order CIC/WB/A/2009/001004-SM.

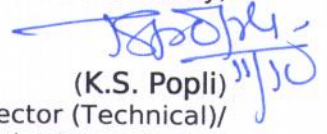
We have perused the contents of your Appeal, RTI Application for seeking information/data and Reply of CPIO,IREDA on your letter seeking information/data under RTI as above and we revert back to you as under :

- With reference to your RTI application, the information as sought has been withheld u/s 8(1) (j) of the RTI Act.
- On careful examination of the reply pointwise, I am of the view that no misleading information has been provided to you by CPIO and I fully agree that the information which has not been provided by CPIO to you is exempted u/s 8(1) (j) of the RTI Act.


The Appeal is disposed off accordingly.

Thanking you,

Yours faithfully,


(K.S. Popli)

Director (Technical)/
Appellate Authority under RTI

प्राप्ति की तारीख 11/10/12 समय 5:25
 जारी करने की तारीख 12/10/12
 डाक किसने भेजा OCS
 हस्ताक्षर 

251

Sri G. K. Popli
11/8/12
Devi
10/8

The Right to Information Act, 2005

First Appeal before Appellate Authority

To

Shri K S Popli

Director (Technical) & Appellate Authority under RTI Act

IREDA, Core 4A, East Court, India Habitat Centre

Lodi Road, New Delhi – 110003.

Sir,

a) RTI Application dated 17.05.2012

Please refer my RTI Application dated 05 JULY 2012

b) Full Name :

Pritam Singh

c) Address :

E-28, Sector 4, DIZ Area, Gole Market, ND -1

1.5 Email ID :

pritam Singh208@hotmail.com

IREDA reply dated 03rd Aug, 2012 received.

In this regard following is submitted:

Reasons/grounds for this Addendum:

- Received misleading information against all the queries raised in RTI application dated 24.07.2012.
- CPIO has taken exemption of Section 8 (1) (j) of RTI Act which is wrong since information regarding disciplinary proceedings cannot be denied under section 8 (1) (e),(g) or (j)
- Please refer Hon'ble Delhi HC Order which is self explanatory. Please also refer order CIC/WB/A/2009/001004-SM

Place: Delhi

Date: 27.08.2012

(Signature)
Signature

अध्यक्ष एवं निदेशक कार्यालय, इरेडा
भारत आवास केन्द्र नई दिल्ली
12 SEP 2012
CMD Cell, IHC New Delhi
डाक नं. 8807

DT/F.A.A
AGM (L/W)
for next.

8807/D1
13/9/12

K.S. Popli
Director (Technical)

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

Dated: 24th January, 2013

Name of Appellant	Smt. S. Surya Prabha
Name of Respondent	CPIO, IREDA

First Appeal before the Appellate Authority IREDA against RTI Application dated 26.9.12 (Received at IREDA on 28.9.12) and CPIO, IREDA Reply letter dated 25.10.12

ORDER

Smt. S. Surya Prabha, hereinafter called the appellant, has filed an appeal dated nil received to us on 27.12.12 against CPIO, IREDA letter dated 31.08.12 read with letter dated 1.12.12 for not providing information within time prescribed under RTI as also incomplete and unsatisfactory information provided as sought for in her RTI application dated 24.07.12 received at IREDA on 01.08.12.

Aggrieved with the reply of CPIO, IREDA letter dated 31.08.12 read with letter dated 1.12.12, the appellant has filed the stated appeal.

Having gone through the RTI application of the appellant and thereafter reply of the CPIO from time to time, I am of the view that the information sought has been sent in time to appellant but the same was returned undelivered with remarks as "Addressee Left". Further the information was again sent to the appellant on email and speed post vide forwarding letter dated 1.12.12. However the information which is exempted under the provisions of RTI Act was withheld and I agree with CPIO, IREDA for not providing the same to the appellant. Further Pay Order No. 372815 dated 19.12.2012 of Rs. 10/- drawn on Andhra Bank is returned herewith.

The appeal is now disposed of.


(K.S. Popli)
Director (Technical)

Copy to

(1)
Ms S. Surya Prabha
H. No. 1-19-83/38, Chandrapuri Colny
Kapra, ECIL Post
Hyderabad - 500 062
Andhra Pradesh

(2)
CPIO, IREDA

प्राप्ति की तारीख 04/02/13 समय 10.00 Am.
जारी करने की तारीख 04/02/13
डाक किसने भेजा (K.S.)
हस्ताक्षर

Appeal under Section 19 of the Right to Information Act, 2005

285

To

Shri. K S Popli
Director (Technical)/Appeal Authority under RTI Act
Indian Renewable Energy Development Agency Ltd
Regd.Office:Core-4A, East Court, India Habitat Centre
Lodhi Road, New Delhi - 110003.

A. Contact details:

1. Name of the Applicant	S Surya Prabha
2. Address	H No.1-19-83/38, Chandrapuri Colony, Kapra, ECIL Post, Hyderabad - 500062 (AP)


B. Details about RTI request:

1. Particulars of the SPIO against whose order appeal is preferred	(a) Name	A.B.Kiran, Asst.General Manager (Law)/Central Asst.Public Information Officer.
	(b) Address	Indian Renewable Energy Development Agency Ltd, 3 rd floor, August Kranti Bhawan, Bhikaiji Cama Place, New Delhi - 110 066
2. Date of submission of application (Please attach a copy)	24-07-2012	
3. Brief facts leading to appeal	(a) No response received within 30 days of submission of Form I	
	(b) Aggrieved by the response received within the prescribed period (a copy of the order received be attached)	
	Grounds for appeal: Incomplete & unsatisfactory information provided & denial of our fundamental right in seeking information u/s 8 (1) (h) of the RTI Act, 2005 exempting disclosure of information.	
4. Prayer or relief sought	Provide full information as per our application filed under RTI, 2005 on 24-07-2012	
5. Last date for filing the appeal	02-01-2013	
6. If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	N / A	
7. Copies of documents relied upon by the applicant	Enclosed	

SKC/SPK
SPK



~~D(T)/F.A.A~~


Signature of the Applicant

Sh Kiran
31/12/12
31/12

11995/DP
31/12/12

OFFICE OF THE APPELLATE AUTHORITY, IREDA UNDER RIGHT TO INFORMATION ACT, 2005

Ref. No. IREDA/DF/RTI/2006-07/II/94

Dated: 24th June, 2011

IN THE MATTER OF
APPEAL UNDER RIGHT TO INFORMATION ACT, 2005 SEEKING CERTAIN
INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005 - DISPOSAL OF APPEAL
REG.

Shri Ajit K Ghosh
D-7/7240, 3rd Floor,
Vasant Kunj,
New Delhi 110 070.

AGAINST

The Central Public Information Officer (CPIO), IREDA

Ref:- (1) Appeal letter No. Nil dated 7th June, 2011 received on 14th June, 2011
(2) CPIO letter No. 216/94/MS/2005/IREDA/861 dated 24th May, 2011

FACTS OF THE CASE

Shri Ajit K Ghosh (Appellant) vide appeal letter No. Nil dated 7th June, 2011 (received on 14th June, 2011) has made an appeal seeking certain information under Right to Information Act, 2005.

2.0 The appellant has sought the following information from IREDA:-

2.1 place of posting of Shri P R Santhanam, Ex-Deputy Manager (HR), IREDA during the period 01-01-1989 to 10-1-1994 clearly indicating the duration date-wise, month-wise at the place of posting;

2.2 leave availed by Shri P R Santhanam, Ex-Deputy Manager (HR), IREDA during the period 01-01-1989 to 10-1-1994, clearly indicating the nature of leave, date-wise, month-wise.

3.0 In this regard, the following are the papers/material available on record:-

3.1 The letter No. nil dated nil (received on 25.4.2011) addressed to CAPIO vide which the information was sought under Right to Information Act, 2005;

3.2 CPIO's letter No. 216/94/MS/2005/IREDA/861 dated 24th May, 2011 vide which the following reply was given:-

Page 1 of 2

प्रति की तारीख... 27/6/11 समर्थ... 9.56 AM
जारी करने की तारीख... 27/6/11
डाक किसने भेजा
हस्ताक्षर

एस. पी. रेड्डी / S. P. REDDI
निदेशक (वित्त)
Director (Finance)
भारतीय अक्षय ऊर्जा विकास संस्था सीमित
(भारत सरकार का प्रतिष्ठान)
Indian Renewable Energy Development Agency Ltd
(A Govt. of India Enterprise)
नई दिल्ली-110066 / New Delhi-110066



Question No.	Question	Reply of IREDA
1	place of posting of Shri P R Santhanam, Ex-Deputy Manager (HR), IREDA during the period 01-01-1989 to 10-1-1994 clearly indicating the duration date-wise, month-wise at the place of posting.	As this information relates to personal information, the disclosure of which has no relationship to any public activity or interest, we are unable to disclose the same to you. Accordingly, the information sought by you is withheld under Section 8(1)(j) of the RTI Act, 2005. The said section is as under:-
2	leave availed by Shri P R Santhanam, Ex-Deputy Manager (HR), IREDA during the period 01-01-1989 to 10-1-1994, clearly indicating the nature of leave, date-wise, month-wise	Section 8(1)(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the Appellate Authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.

3.3 Copy of letter dated 23rd May, 2011 from Shri P R Santhanam objecting disclosure of his personal information.

4.0 The appeal of Shri Ajit K Ghosh as well as the information provided by the CAPIO were examined by the undersigned in terms of provisions of Right to Information Act, 2005.

5.0 The Appellant is seeking the personal information in respect of former staff of IREDA i.e. Shri P R Santhanam, Ex-Deputy Manager (HR).

6.0 The appellant has preferred an appeal against the order of CAPIO vide appeal letter dated 7th June, 2011.

7.0 As per the provisions of Sections 8(1)(j), 8(3) and 11 of Right to Information Act, 2005, there is no obligation on the part of IREDA to provide the desired information to the Appellant.

8.0 Decision

8.1 Having considered the facts and circumstances and based on the documents mentioned above, the Appellant is not eligible for getting the desired information hence the same is denied.

The appeal is disposed off accordingly.

[Handwritten Signature]
26-6-2011

(S P Reddi)
Appellate Authority
under Right to Information Act, 2005

By Registered post A/d

[Handwritten Signature]

Shri Ajit K Ghosh
D-7/7240, 3rd Floor,
Vasant Kunj,
New Delhi 110 070

एस. पी. रेड्डी / S. P. REDDI
निदेशक (वित्त)
Director (Finance)
भारतीय अक्षय ऊर्जा विकास संस्था सीमित
(भारत सरकार का प्रतिष्ठान)
Indian Renewable Energy Development Agency Ltd
(A Govt. of India Enterprise)
नई दिल्ली-110066 / New Delhi-110066

OFFICE OF THE APPELLATE AUTHORITY, IREDA UNDER RIGHT TO INFORMATION ACT, 2005

Ref. No. IREDA/DF/RTI/2006-07/II/ 975

Dated: 21st February, 2011

IN THE MATTER OF
APPEAL UNDER RIGHT TO INFORMATION ACT, 2005 SEEKING CERTAIN INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005 - DISPOSAL OF APPEAL REG.

Shri M L Luthra
VB-58, Varinder Nagar,
Janakpuri,
New Delhi 110 058.

AGAINST

The Central Public Information Officer (CPIO), IREDA

Ref:- (1) Unsigned appeal letter No. Nil dated 11th February, 2011 addressed to CMD, IREDA received through email dated 11th February, 2011
(2) CPIO letter No. 216/94/MS/2005/IREDA/5279 dated 25th January, 2011

FACTS OF THE CASE

Shri M L Luthra (Appellant) vide unsigned appeal letter No. Nil dated 11th February, 2011 addressed to CMD, IREDA and not the Appellate Authority, received through email dated 11th February, 2011 (received on 11th February, 2011) has made an appeal seeking certain information under Right to Information Act, 2005.

- 2.0 The appellant has sought the following information from IREDA:-
- 2.1 Which criteria was adopted by the Selection Committee for the selection of Assistant Accounts Officers?
- 2.2 List of candidates who appeared for the interview, indicating their qualifications from 10th onwards and number secured with percentage against each candidate and name of the University;
- 2.3 List of candidates (those selected/not selected both) – Indicating their grading/numbers awarded by the Selection Committee against each name based on interview.
- 3.0 In this regard, the following are the papers/material available on record:-
- 3.1 The Appellant's unsigned letter dated 11th February, 2011 vide which the information was sought under Right to Information Act, 2005;

O/C

प्राप्ति की तारीख... 22/2/11 समय 2:20 Pm.
जारी करने की तारीख... 24/2/11
डाक किसने भेजा
हस्ताक्षर &

3.2 CPIO's letter No. 216/94/MS/2005/IREDA/5279 dated 25th January, 2011 vide which the following reply was given:-

Question No.	Question	Reply of IREDA
1	Which criteria was adopted by the Selection Committee for the selection of Assistant Accounts Officers?	Selection Committee has judged the candidates on the basis of their overall performance in the interview.
2	List of candidates who appeared for the interview, indicating their qualifications from 10 th onwards and number secured with percentage against each candidate and name of the University;	<p>List of candidates who appeared for the interview:-</p> <ol style="list-style-type: none"> 1. Mr. Gaurav Prakash 2. Mr. Indrajit Dey 3. Mr. Mukesh Kumar 4. Ms. Jyoti Yadav 5. Kapil Kumar Sain 6. Mr. Saurabh Luthra 7. Mr. Rohit Kumar 8. Mr. Sreedhar Madishetti 9. Mr. Deepak Kumar 10. Mr. Shesh Nath Yadav – PH candidate <p>Other particulars viz. qualifications from 10th onwards and number secured with percentage against each candidate and name of the University are of confidential nature, which falls under third party information. Accordingly, the same are being withheld under Section 8(1)(e) and 8(1)(j) of the RTI Act, 2005. The said sections are as under:-</p> <p>Section 8(1)(e) information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;</p> <p>Section 8(1)(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the Appellate Authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.</p>

Dr. [Signature]

3	List of candidates (those selected/not selected both) – Indicating their grading/numbers awarded by the Selection Committee against each name based on interview	<p>Following three (-03) candidates have been recommended by the Selection Committee for issuance of offer of appointment, in the order of merit:-</p> <ol style="list-style-type: none"> 1. Mr. Mukesh Kumar 2. Ms. Jyoti Yadav 3. Mr. Sreedhar Madishetti <p>Balance seven (07) candidates have not been selected for the post. The other information sought are withheld under Section 8(1)(e) and 8(1)(j) of the RTI Act, 2005</p>
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4.0 The appeal of Shri M L Luthra as well as the information provided by the CPIO were examined by the undersigned in terms of provisions of Right to Information Act, 2005.

5.0 The Appellant is seeking information in connection with recruitment to the post of Assistant Accounts Officer.

6.0 The appellant has preferred an appeal against the order of CPIO vide above said unsigned appeal letter dated 11th February, 2011 addressed to CMD, IREDA and not to the Appellate Authority.

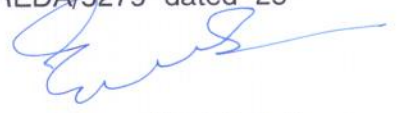
7.0 As per the provisions of Sections 3 and 4(2) of Right to Information Act, 2005 and the objective of enactment of the said Act, the information desired by the Appellant is not exempted under Sections 8 (1)(e) and 8(1)(j) of the Right to Information Act, 2005.

8.0 Decision

8.1 Having considered the facts and circumstances and based on the documents mentioned above, the Appellant has already been provided the information permissible under the Right to Information Act, 2005.

8.2 There is no obligation under Section 8(1)(e) and 8(1)(j) of Right to Information Act, 2005 to provide you the other information which has fiduciary relationship and the personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual. This was communicated to you by CPIO vide letter No. 216/94/MS/2005/IREDA/5279 dated 25th January, 2011.

The appeal is disposed off accordingly.



(S P Reddi)
Appellate Authority
under Right to Information Act, 2005

Shri M L Luthra
VB-58, Varinder Nagar,
Janakpuri,
New Delhi 110 058.


By Registered post A/d



एस. पी. रेडडी / S. P. REDDI
निदेशक (वित्त)

Director (Finance) Page 3 of 3

भारतीय अक्षय ऊर्जा विकास संस्थान
(भारत सरकार का अखिल भारतीय निदेशक)
Indian Renewable Energy Development
(A Govt. of India Enterprise)
नई दिल्ली-110001

copy to CPIO

23/7/11

To
Shri SP Reddi
Director (Finance)/Appellate Authority
IREDA
August Kranti Bhawan
New Delhi-110066

07-06-2011

SUB: Application under RTI ACT 2005-Appeal regarding

Sir,

Kindly refer the above mentioned subject. I have not received the documents sought by me regarding my RTI Application I am constrained to submit that the desired information has not been provided to me by the CAPIO,IREDA citing Section 8(1)(j) which is quite arbitrary ,discriminatory , just to deny information to the applicant.

To claim exemption under Section 8(1)(j) , the CAPIO has to establish how the disclosure has no relationship to any public activity or interest . A mere conjecture or surmises is not enough to deny information under Section 8(1)(j) .

The CAPIO,IREDA misrepresented and denied information by very cleverly deleting the clause of Section 8(1)(j) **Proved that the information which cannot be denied to the Parliament or a State legislature shall not be denied to any person.**

Hence it is clearly evident that the CAPIO ,IREDA deliberately denied information to the applicant citing incomplete Section 8(1)(j) of the RTI Act,2005.

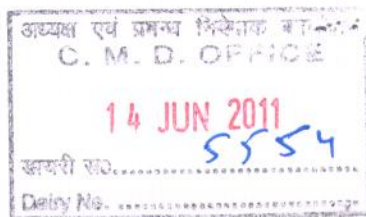
Information is a fundamental right of a citizen and denial of information can only be justified strictly in terms of Section 8(1)(j).The information cannot be refused until and unless it is clearly established that furnishing of information has no relationship to any public activity or interest.

It is therefore kindly requested to examine the entire files , papers documents etc related to my RTI application and direct the CAPIO,IREDA to provide me the desired information and also initiate suitable action against the CAPIO,IREDA for not providing information as per the provisions of RTI ACT,2005.

Yours sincerely,

Ajse
7/6/2011
(AJIT K. GHOSH)
Applicant
D-7/7240(3RD FLOOR)
VASANT KUNJ
NEW DELHI-110070

ENCL:- Copy of the Information received from CAPIO, IREDA.



D(A)/AA
Mr SP Reddi

Pl. collect a copy of the earlier application to CP10 & send comments on this.
16.6.2011