Date: 06/01/2016

The Central Public Information Officer,
IREDA Ltd.
3rd Floor, August Kranti Bhawan,
Bhikaiji Cama Place
New Delhi-110066

Sub: Information under Right to Information Act, 2005

I Deepak, a resident of Flat No.4, A-103A, Lane No.6, Paryavaran Complex, New Delhi-30, and a citizen of India needs the following information under the RTI Act:

1. Whether the post of General Manager (HR) at IREDA initially/originally was reserved for SC Category.
2. Whether the above mentioned post at No.1 was got de-reserved? If yes, please provide the copy of the approval in term of attested copies of notings & orders in this regard.
3. Whether the approval of the Competent Authority for de-reserving the post of GM (HR) at IREDA, was obtained (please specify the Competent Authority) as prescribed under the Government of India guidelines? If yes, please provide the copy of the approval in term of attested copies of notings & orders in this regard.
4. Is it correct that a General candidate has been appointed against the post mentioned above at No.1?
5. Please supply the attested copies of documents / details as under:
   a. When the post of GM (HR) reserved for SC category was first time advertised (Month & year) and how many applications were received. Please provide a copy of the initial and all subsequent advertisements issued to fill up this post and the final result. Please provide all the attested copies of notings in this behalf.
   b. Copies / Documents wherein the post was got de-reserved from the Competent Authority (please specify the Competent Authority whether the Board or the Administrative Ministry) from SC to General category along with Board Agenda, notings & all correspondence made in this regard.
6. Whether the person recruited against above i.e post of GM (HR) meets the qualifications as prescribed in the Advertisement? Please provide attested copies of the particulars of the individual selected against this post along with the IREDA job specifications as prescribed in Recruitment Rules.
7. Whether any probation period was prescribed while making the job offer for the post of GM (HR) to the selected candidate in the appointment letter? Please supply a copy of the appointment letter.
8. Is it a fact that the present recruited candidate who joined as GM (HR) was confirmed in contravention on the provisions made in the appointment letter? Please provide attested copies of the rules / documents under which the selected candidate was confirmed as GM in violation of the terms & conditions made in the appointment letter.
9. When did the Recruitment & Promotion Policy of IREDA last reviewed and implemented? Whether the approval of the Board of Directors was taken?
10. Whether probation period of the selected candidate was waived off? Please provide attested copies of the rules under which the probation period of the selected candidate was waived off
11. Please provide a copy of the appointment letter issued to Sh A. A. Khatana, who joined as GM-TS, IREDA.
12. Whether Sh. A. A. Khatana was confirmed after a completion of the probation period and his probation period was not waived off? Please supply a copy of appointment letter and all the official notings wherein the case of Sh. Khatana was dealt for confirmation.
13. Please also give names of the officer who joined as General Managers or promoted from lower rank to General Manager in IREDA. Whether the probationary period was prescribed in their appointment letter / promotion order? Whether any of them were confirmed before completion of probation period? Whether they confirmed on the same basis as allowed in the case of the incumbent who joined as GM (HR). If so, please provide the attested copies in this regard.

A postal order of Rs.50/- (No. 110043) is enclosed herewith being the RTI fee. However, I also confirm that I shall deposit the additional amount if required to be paid for supplying the data, the same shall be deposited accordingly.

Deepak

SPEED POST

Office of the Appellate Authority
under Right to Information Act, 2005
Indian Renewable Energy Development Agency Ltd.
Corporate Office: 3rd Floor, August Kranti Bhawan
Bhikaji Cama Place
New Delhi-110066

Dy.No.- 6483/1930

Decision No. 5

Dated 28.03.2016

In the matter of:-

Sh. Deepak
Flat No. 4, A-103A,
Lane No. 6
Paryavaran Complex
New Delhi-110030

.....Appellant

VS

Central Public Information Officer
Indian Renewable Energy Development Agency Limited
(A Govt. of India Enterprise), Corporate Office: 3rd Floor,
August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066
.....Respondent

Brief facts of the case:-

1.1 This office has received one appeal dated 26.02.2016 preferred by Shri Deepak on 29.02.2016. Appellant preferred the said appeal against the rejection of his application dated 07.01.2016 made to Central Public Information Officer (CPIO) as no response has been provided to the appellant till the date of preferring the present appeal.

1.2 Copy of application made to CPIO has also been annexed with the appeal and through the said application, the appellant/applicant sought the following information:-

1. Whether the post of General Manager (HR) at IREDA initially/originally was reserved for SC Category.

प्राप्ति की तारीख 26/5/16 समय 5.20 PM.
जारी करने की तारीख 29/3/2016
डाक भिजवाने भेजा

2. Whether the above mentioned post at No.1 was got de-reserved? If yes, Please provide the copy of the approval in term of attested copies of notings & orders in this regard.

3. Whether the approval of the Competent Authority for de-reserving the post of GM (HR) at IREDA, was obtained (please specify the Competent Authority) as prescribed under the Government of India guidelines? If yes, please provide the copy of the approval in term of attested copies of notings & orders in this regard.

4. Is it correct that a General candidate has been appointed against the post mentioned above at No.1?

5. Please supply the attested copies of documents/details as under:-
    a. When the post of GM (HR) reserved for SC category was first time advertised (Month & year) and how many applications were received. Please provide a copy of the initial and all subsequent advertisements issued to fill up this post and the final result. Please provide all the attested copies of notings in this behalf.
    b. Copies/Documents wherein the post was got de-reserved from the Competent Authority (please specify the Competent Authority whether the Board or the Administrative Ministry) from SC to General category along with Board Agenda, notings & all correspondence made in this regard.

6. Whether the person recruited against above i.e. post of GM (HR) meets the qualifications as prescribed in the Advertisement? Please provide attested copies of the particulars of the individual selected against this post along with the IREDA job specifications as prescribed in Recruitment Rules.

7. Whether any probation period was prescribed while making the job offer for the post of GM (HR) to the selected candidate in the appointment letter? Please supply a copy of the appointment letter.

8. Is it a fact that the present recruited candidate who joined as GM (HR) was confirmed in contravention on the provisions made in the appointment letter? Please provide attested copies of the rules/documents under which the selected candidate was confirmed as GM in violation of the terms & conditions made in the appointment letter.

9. When did the Recruitment & Promotion Policy of IREDA last reviewed and implemented? Whether the approval of the Board of Directors was taken?

10 Whether probation period of the selected candidate was waived off? Please provide attested copies of the rules under which the probation period of the selected candidate was waived off.

11 Please provide a copy of the appointment letter issued to Sh. A.A. Khatana, who joined as GM-TS, IREDA.

12 Whether Sh. A.A. Khatana was confirmed after a completion of the probation period and his probation period was not waived off? Please supply a copy of appointment letter and all the official notings wherein the case of Sh. Khatana was dealt for confirmation.

13 Please also give names of the officer who joined as General Managers or promoted from lower rank to General Manager in IREDA. Whether the probationary period was prescribed in their appointment letter/promotion order? Whether any of them were confirmed before completion of probation period? Whether they confirmed on the same basis as allowed in the case of the incumbent who joined as GM (HR). If so, please provide the attested copies.

1.3 Appellant through the present appeal wants that an instruction should be passed against CPIO to provide the information sought by the appellant/applicant in his application dated 07.01.2016 and also requested to impose penalty on the CPIO under Section 20 of the Act 22 of 2005 for not providing information without any reasonable cause as mandated in the law.

Observation of First Appellate Authority

2.1 The present appeal was preferred as the appellant felt aggrieved of the rejection of his application made to CPIO on 07.01.2016 and thus CPIO was called upon by First Appellate Authority to clarify his stand and provide the reason of rejection of appellant's application. CPIO has confirmed that the reply to the application of applicant has been duly provided to him supported with all the documentary proof vide letter dated 19.02.2016 but due to inadvertence the same was sent to A-301A instead of A-103A and thus the same was returned unserved and the same was again sent to the correct address alongwith a regret letter on 29.02.2016. CPIO has shown the copy of unserved letter which was earlier sent through speed post bearing no. ED 93574036 4 IN.

Decision with reasons:-

3.1 CPIO has provided all the information sought by the appellant in his application and also provided all the necessary documents to prove the

veracity of the contents of information provided to the appellant. There was some typographical error in mentioning the address but the record shows that the same was an inadvertent mistake and that was subsequently rectified so considering the fact regarding error followed by the rectification, it is evident that the purpose of appellant/applicant to make an RTI application before CPIO has been served and his fundamental right to obtain the information under RTI has not been infringed.

3.2 In the light of the above, this appeal is disposed of as dismissed, however CPIO is being cautioned to avoid such kind of human error in future.

3.3 In case the appellant is aggrieved by the decision, he is free to file second appeal, if she so desires, before the CIC against this order within 90 days.

(S.K. Bhargava)
First Appellate Authority (RTI)
28.03.2016

Copy to:-

1. Shri A.B. Kiran, AGM (Law) cum CPIO

29/3/16

o/c

इरेडा IREDA
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, भीकाएजी कामा प्लेस, नई दिल्ली-110 066
Corporate Office : 3rd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi- 110 066
दूरभाष Tel:91-26717400-12, फैक्स Fax: 91-11-26717414, ई-मेल E-mail: cmd@ireda.gov.in वेबसाईट Website: www.ireda.gov.in

दिनांक :- 28-03-2016

फाइल. स. -- --

इरेडा

तीसरा तल, अगस् त क्रांति भवन,भीकाएजी कामा प लेस,

नई दिल् ली

दिल्ली

ध्यानार्थ - श्री ए.बी. किरण,सीपीआईओ, इरेडा

विषय :- संलग् न पत्र के अनुसार ।

प्रोजैक्ट संख्या :-

महोदय /महोदया,

कृपया संलग्न पत्र का संदर्भ लें

भवदीय /भवदीया
एस. के. भार्गव
निदेशक (वित्त), विधि
कृते

संलग्नक : यथोपरि

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

To

2/3/16

First Appellate Authority
Shri S.K. Bhargava
Director (Finance)
Corporate office of IREDA
3rd Floor,August kranti bhawan,
Bhikaji cama place
New Delhi-110066

A. Contact details:

1. Name of the Applicant	Nisha
2. Address	A-49 Naharpur Sector-7, Rohini, Delhi-85

B. Details about RTI request:

1. Particulars of the SPIO against whose order appeal is preferred	(a) Name	Shri S.K. Bhargava
	(b) Address	Corporate office of IREAD 3rd Floor,August kranti bhawan, Bhikaji cama place New Delhi-110066
2. Date of submission of application (Pease attach a copy)	2nd March, 2015	
3. Brief facts leading to appeal		
	(b) Aggrieved by the response received within the prescribed period (a copy of the order received be attached)	
	Grounds for appeal **See the attached annexure 'A'**	
4. Prayer or relief sought	**See the attached annexure 'A'**	
5. Last date for filing the appeal	NA	
6. If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	NA	
7. Copies of documents relied upon by the applicant		

Enclosure:-

1. Annexure "A"- Brief facts leading to appeal and required information.
2. Reply of Central Public Information Officer, Shri A.B .Karan dt 19.02.2016 regarding compliance of the order of the first Appellate Authority dated 03.02.2016.

02 MAR 2016
2935

Signature of the Applicant..... 2/3/16

Annexure-'A'

Information sought regarding recruitment of Assistant Finance officer in the year 2015-16 with reference to your Advertisement No IREDA/HR/rectt.2014/001.

With reference of letter dt 19.02.2016 issue by Central Public Information Officer Shri A.B .Karan, in this regard it is stated that

1. The annexure-1 is not true copy of details of mark obtained by the candidates in the interview for the post of Assistant Finance Officer. ***Provide the copy of details of mark actual signed by the selection committee at the time of interview.***
2. Also provide the ***proportionate of weighted given in respect of written and interview marks for selection***.

Brief facts leading to appeal

1. Information on compliance of the order of the First Appellate Authority dated 03.02.20016 was not authenticate as the same is not the actual copy which was signed by the selection committee at the time of interview. *So please provide the information sought on point no.1 and 2 above for transparency in recruitment procedure.*

2/3/16

इरडा IREDA
ISO 9001:2008 Certified
भारतीय अक्षय ऊर्जा विकास संस्था लिमिटेड
(भारत सरकार का प्रतिष्ठान)
Indian Renewable Energy Development Agency Limited
(A Government of India Enterprise)
कॉर्पोरेट कार्यालय : तीसरा तल, अगस्त क्रांति भवन, भीकाएजी कामा प्लेस, नई दिल्ली-110 066
Corporate Office : 3rd Floor, August Kranti Bhawan, Bhikaiji Cama Place, New Delhi - 110 066
दूरभाष/Tel.: 011-26717400-12, फैक्स/Fax : 91-11-26717416, ई-मेल/E-mail: cmd@ireda.gov.in वेबसाईट/Website: www.ireda.gov.in

No. 216/94/MS/2005/IREDA/Vol-XVIII/ Dated 19.02.2016

Speed Post

To
Ms. Nisha
B-49, Naharpur
Sector-7, Rohini
Delhi-110085

Sub: - Compliance of the order of the First Appellate Authority dated 03.02.2016

Sir,

Please refer to your first appeal dated 04.01.2016 which was received by the office of the First Appellate Authority on the same day. Please refer to the order dated 03.02.2016 of First Appellate Authority, IREDA directing HR Deptt. through CPIO to provide you the details of marks obtained by candidates appeared for the post of Assistant Finance Officer in screening test as well as in interview.

In compliance of the said order, we hereby furnish a list containing the marks obtained by candidates in interview which is attached herewith as Annexure-I. We are also adducing a list comprising the details of marks obtained by candidates in screening test which is attached herewith as Annexure-II (Colly1-3). It is pertinent to mention that for the post of Assistant Finance Officer, 25 candidates appeared in the screening test held on 25.07.2015, however only 13 candidates could appear in the interview held on 14.09.2015.

With this backdrop, I hope that IREDA has satisfied your queries.

Thanking You,

Yours faithfully,

A.B.Kiran
Assistant General Manager (Law)/
Central Public Information Officer

CC:-First Appellate Authority

Annexure - I

Details of Marks Obtained by the Candidates appeared in the Interview for the post of Assistant Finance Officer/E-0 held on 14.09.2015

No. of Posts : UR-02; OBC-01; SC-01
Pay Scale : Rs.12600-3%-32500

S. No.	Name of Candidates	Marks obtained in the Interview
General Category		
1.	Kavita Agrawal	50
2.	Kanhiya Kumar Jha	60
3.	Tarun Kumar	39
4.	Ritu Sharma	42
5.	Bhavana Gupta	40
6.	Diya Agarwal	55
7.	Gunjan Mahani	63
8.	Rashi Gupta	43
9/.	Naresh Bansal	38
10.	Smarth Sharma	36
OBC Category		
1.	Nisha Saini	28
2.	Mamta Rani	27
SC Category		
1.	Deepak Kumar Verma	29

POST : Assistant Finance Officer - (AFO)

SNO	ROLLNO	NAME	D.O.B.	CATG	SCORE	RANK
1	170982	KAVITA AGRAWAL	6/5/1986	GEN	58.25	001
2	170980	KANHAIYA JHA	10/12/1982	GEN	57.50	002
3	171019	TARUN KUMAR	17/10/1983	GEN	53.00	003
4	171005	RITU SHARMA	15/01/1984	GEN	52.50	004
5	170969	BHAWNA GUPTA	9/1/1986	GEN	52.00	005
6	170973	DIYA AGGARWAL	3/4/1985	GEN	50.00	006
7	170977	GUNJAN MAHANI	9/2/1986	GEN	49.50	007
8	170999	RASHI GUPTA	26/02/1986	GEN	48.25	008
9	170988	NARESH BANSAL	29/09/1983	GEN	47.50	009
10	171009	SAMARTH SHARMA	5/12/1987	GEN	47.50	009
11	170968	BHARAT NARANG	29/06/1988	GEN	45.00	010
12	171007	ANJU NAUTIYAL	10/1/1986	GEN	44.50	011
13	170978	HONEYDEEP SINGH	30/08/1987	GEN	41.50	012
14	171028	ARUNA KUMARI	11/6/1988	GEN	37.50	013
15	171017	SUSHIL KUMAR	20/06/1985	GEN	36.00	014
16	171015	SONIA SINGH	1/5/1985	GEN	35.50	015
17	170975	AMAN SHARMA	29/07/1986	GEN	33.25	016
18	171011	SAURABH LUTHRA	27/09/1985	GEN	33.25	016
19	170996	AMIT KUMAR SINGH	26/12/1985	GEN	31.25	017
20	170997	PRIYANKA GUPTA	25/10/1984	GEN	25.50	018
21	170985	MINAL YADAV	16/04/1980	GEN	22.50	019
22	170992	NIDHI MITTAL	26/06/1989	GEN	22.25	020

WRITTEN TEST HELD ON: 26TH JULY,2015 (SUNDAY)

DATASOFT COMPUTER SERVICES PVT LTD * DELHI

30/7/15

SNO	ROLLNO	NAME	D.O.B.	CATG	SCORE	RANK
1	170993	NISHA SAINI	28/11/1987	OBC	51.75	001
2	170984	MAMTA RANI	2/3/1981	OBC	49.75	002

WRITTEN TEST HELD ON: 26TH JULY,2015 (SUNDAY)

DATASOFT COMPUTER SERVICES PVT. LTD. DELHI

30/7/15

EDA : MERIT LIST ADVT-NO.:IREDA/HR/Rectt./2015/advt0001 Page: 31
OST : Assistant Finance Officer - (AFO)

SNO	ROLLNO	NAME	D.O.B.	CATG	SCORE	RANK
1	170972	DEEPAK KUMAR VERMA	1/11/1987	SC	34.75	001

WRITTEN TEST HELD ON: 26TH JULY,2015 (SUNDAY)

30/7/15

SPEED POST

Dy.No.-48

Office of the Appellate Authority
under Right to Information Act, 2005
Indian Renewable Energy Development Agency Ltd.
Corporate Office: 3rd Floor, August Kranti Bhawan
Bhikaji Cama Place
New Delhi-110066

Decision No. 6

Dated 31.03.2016

In the matter of:-

Ms. Nisha
A-49, Naharpur
Sector-7, Rohini
Delhi-110085 .....Appellant

VS

Central Public Information Officer
Indian Renewable Energy Development Agency Limited
(A Govt. of India Enterprise), Corporate Office: 3rd Floor,
August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066
.....Respondent

1. Brief facts of the case:-

1.1 The appellant has preferred the first appeal dated 02.03.2016 against the letter of CPIO dated 19.02.2016 which was received by the office of First Appellate Authority on the same day, i.e. on 02.03.2016. The appellant namely Ms. Nisha has originally preferred an appeal dated 04.01.2016 against the reply of CPIO dated 04.12.2015 and the First Appellate Authority has disposed of the said appeal by passing an order on 03.02.2016. Through the said order, First Appellate Authority instructed CPIO to provide the details of marks obtained in written exam and interview by the candidates appeared for the post of Assistant Finance Officer against the advertisement bearing no. IREDA/HR/rectt.2014/001 to the appellant within 15 days from the date of passing of the said order to prove that the transparency was observed and secured in the recruitment process.

1.2 CPIO in the compliance of the abovementioned order, sent a compliance letter dated 19.02.2016 to the applicant by providing the details mentioned in the said order and the appellant being dissatisfied with the

documents provided by CPIO, preferred the present appeal by mentioning the following:-

1. *The Annexure-I is not true/actual copy of details of mark obtained by the candidates in the interview for the post of Assistant Finance Officer. Provide the copy of details of mark actual signed by the selection committee at the time of interview.*

2. *Also provide the proportionate of weighted given in respect of written and interview marks for selection of Assistant Finance Officer.*

2. Observation of First Appellate Authority

2.1 The present appeal was preferred as the appellant is dissatisfied with the information provided by Central Public Information Officer in the compliance of the order of First Appellate Authority. So while deciding the present appeal the following points should be taken into consideration:-

1. Whether the CPIO has not complied the order of First Appellate Authority dated 03.02.2016 ?
2. Whether this appeal was preferred to obtain some new information, if yes then whether the same is permissible ?

2.2 **Point No. 1.** While considering point no. 1 of 2.1, it is necessary to see that what information was to be provided by CPIO in the compliance of the order of First Appellate Authority.
In this regard the order of First Appellate Authority dated 03.02.2016 and compliance report sent by CPIO were scrutinized. In this regard it was observed that information under question bearing no. 2(III) as sought by the applicant/appellant was to be provided and in that sense CPIO was required to provide the details of marks obtained by each candidate in respective category in written exam and interview held for the post of Assistant Finance Officer against the advertisement bearing no. IREDA/HR/rectt.2014/001. Compliance letter and its enclosures are evident that the information as sought by the applicant was provided by the CPIO in the compliance of the order of First Appellate Authority.

2.3 **Point No. 2.** While considering point no. 1 of 2.2, it is necessary to see that what information was sought by the appellant in her earlier appeal dated 04.01.2016 and what information she is seeking through the present appeal dated 02.03.2016.
Contents of prayer made by the appellant in both the appeals are different as in the appeal dated 04.01.2016, the appellant wanted to get the details of marks obtained by each candidate in respective category in written exam and interview held for the post of Assistant Finance Officer, however in the present appeal dated 02.03.2016, the appellant prays to provide *(a) the copy of details of mark actual signed by the selection committee at the time of interview as the details provided by CPIO in compliance of the order of First Appellate Authority is not true/actual copy of the same and (b) the proportionate of weighted given in respect of*

written and interview marks for selection of Assistant Finance Officer.

3. **Decision with reasons:-**

3.1 Contents of the Order of First Appellate Authority dated 03.02.2016 was compared with the compliance letter of CPIO dated 19.02.2016 and found that the compliance of the order of First Appellate Authority was done by CPIO in actual manner thus the present appeal is liable to be dismissed.

3.2 As the prayer made in the present appeal is new and altogether different one from the prayer made by the appellant in her earlier appeal so this appeal is not tenable because according to Section 19(1) of the RTI Act, 2005, Appeal before the First Appellate Authority may be preferred only if the appellant is aggrieved by a decision of the Central Public Information Officer. In the present appeal, the appellant failed to prove that she has earlier made the same prayer before CPIO and CPIO declined to provide information made by the applicant/appellant in her prayer so this appeal is liable to be dismissed.

4. The appeal is disposed of as dismissed for the reasons cited in para 3.1 & 3.2.

5. In case the appellant is aggrieved by the decision, she is free to file second appeal, if she so desires, before the CIC, 2nd Floor, 'C' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

(S.K. Bhargava)
First Appellate Authority(RTI)
31.03.2016

Copy to:-

1. Shri A.B. Kiran, AGM (Law) cum CPIO

04/4/16

O/c

प्राप्ति की तारीख... 04-04-2016 समय.....
जारी करने की तारीख.. 04-04-2016
डाक किसने भेजा .....
हस्ताक्षर .....