

By Speed Post

File No. MoES/29/154/2015-RTI

Government of India

Ministry of Earth Sciences

Prithvi Bhawan, IMD Campus

Lodhi Road, New Delhi.

Dated – 16/10/2015.

To

Sh. Abhinav Kumar,
C/o Plot No. 82 (Near Phalke Layout)
(Near Hanuman Mandir), Beside Friends Colony,
Katol Road, Nagpur-440013

Subject:-Information sought by Sh. Abhinav Kumar, C/o Plot No. 82 (Near Phalke Layout) Near Hanuman Mandir, Beside Friends Colony, Katol Road, Nagpur-440013 under RTI Act.2005.

Kindly refer to your RTI application dated 21/09/2015 (received on 29/09/2015) on the above mentioned subject.

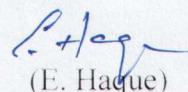
2. The reply provided by the concerned officer vide MOES ID Note No. No. MoES/29/45/2015-Estt. Dated 15/10/2015 of Ministry Earths Sciences, New Delhi is enclosed herewith.

3. An appeal, if any, against this reply may be made to the Appellate Authority of the Ministry, at the following address within 30 days of the receipt of the letter.

Shri Vivek Misra, Director /FAA.
Ministry of Earth Sciences, Prithvi Bhawan,
IMD Campus, Lodhi Road, New Delhi-110003.

Encl. As above.

Yours faithfully,



(E. Haque)

Central Public Information Officer & Scientist 'C'

Tel. No. 24669521.

Copy for information to:-

1. Director, (ICC) & FAA MoES, New Delhi.
2. Under Secretary (Estt.), MoES, New Delhi for information.
3. In Charge IT Section (Sh. Krishnan is requested to upload this reply on website www.moes.gov.in).

5/10/15

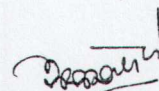
**Ministry of Earth Sciences
(Establishment Section)**

CPIO, MoES may please refer to their O.M. dated 30th September, 2015 forwarding an application dated 21st September, 2015 (received on 29/09/2015) from Mr. Abhinav Kumar, resident of C/o Plot No.82 (near Phalke Layout), (Near Hanuman Mandir), Beside Friends Colony, Katol Road, Nagpur-440013 seeking information under RTI Act-2005.

2. The information point - wise as sought by the applicant is as under:-

SN	Information sought	Answer
1.	Whether DoPT/ACC has agreed to include Mathematics, Statistics etc in MFCS for IMD. Please give reply in Yes or No.	"The RTI Act does not cast on the public authority any obligation to answer queries, as in this case, in which a petitioner attempts to elicit answers to his questions with prefixes, such as, why, what, when and whether. The petitioner's right extends only to seeking information as defined in Section 2(f) either by pinpointing the file, document, paper or record, etc., or by mentioning the type of information as may be available with the specified public authority". Matter is under consideration with DoP&T and no final decision has so far been taken.
2.	If reply is t Point No. 1 is "No" Whether MoES has withdrawn the promotion t the post of Scientist F along with recovery as stated by MoES in its letter No.MoES/18/02/2015-Estt dated 3 rd July, 2015.	
3.	Kindly provide me certified copy of the file noting involved in the clarification sought from DoPT/ACC to include M.Sc(Maths) and M.Sc(Statistics) in MFCS list for IMD.	
4.	During 2009 to 2014 several scientists of IMD with Maths/Statistics background were promoted under MFCS but in 2015 scientists have been promoted with rider referred in Para 3 above i.e."Promotion /up-gradation is subject to decision of DoPT/ACC. In case DoPT/ACC does not agree to this up-gradation, it will be withdrawn along with recovery of pay & allowances accruing in this up-gradation.	An 'opinion' or an 'advice' if it is a part of the record is 'information' but one cannot seek from a PIO either an 'opinion' or an 'advice' as seeking such opinion or advice would be in effect seeking a decision which the CPIO may not be competent or authorized to take. The definition of information, as it occurs in Section 2(f), lays down the scope of the type of information a petitioner can seek. It is not open to an appellant to ask, in the guise of seeking information, questions to the public authorities about the nature and quality of their actions.

3. This issues with the approval of DS (Estt.)


(A K Bhattacharyya)

Under Secretary to the Govt. of India

CPIO, MoES(Shri E Haque, Scientist 'C')

MoES ID Note No. MoES/29/45/2015-Estt. dated 15/10/2015.

