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No.RTI-016/FAA/2015/RTI/VK
FIRST APPELLATE AUTHORITY
India Meteorological Department
Lodi Road, New Delhi- 110003.

Name of the Appellant: Sh. Vijay Koyende
Date of Appeal: 20.04.2015
Date of receipt: 26.05.2015
Date of Decision: 11.06.2015

FACTS

Through RTI application dated 27.02.2015 appellant Sh. Vijay Koyende, inter alia requested to provide information on three points from the CPIO of this office. Summary of the RTI queries and reply thereon of CPIO are as follows:-

- (1) Staff Strength in percentage required for recognition of Unions/ Association in IMD.
- (2) Whether all Unions/ Association in IMD fulfill these criteria? If not, provide membership strength of each Union/ Association of IMD.
- (3) Copy of the file noting sent to DoPT regarding recognition of Unions/ Associations.

CPIO, in this regard sent the RTI application to the Establishment Division at HQ and the information as received from their section had been furnished by letter No. I/40/1/2015/RTI/VK/5323 dated 23rd March, 2015 to the appellant. According to that, the information pertaining to query at Point No. 1 is available on DoPT website, query at Point No. 2 is a question and need not be answered under the RTI Act and no information in regard to Point No. 3 is available in this office as no such file has been sent to DoPT.

Feeling aggrieved from the aforementioned reply of CPIO, the appellant preferred this appeal wherein he requested the pointwise reply may be furnished against the information sought. Information in respect of membership strength required for recognition of a Union/ Association in IMD is available in public domain of DoPT website i.e. www.persmin.nic.in and the appellant can access such information. However, the downloaded copy of the information sought is enclosed herewith. Query at Point No. 2 is a question per se and no documented or recorded information is asked against this Point and the CPIO can supply only those information under the Act which already exists and is held by or held under the control of public authority. However, information about membership strength of each Union/ Association exist in IMD can be supplied to appellant. Further, the information sought against the third query is not available as no file was sent to DoPT for recognition of Union/ Association in IMD, further more the creation of non – available information is not permissible under the Act, hence the information with reference of subject matter of this query can not be supplied.

Appellant has been failed to establish that the larger public interest would be served by disclosure of such information.

DECISION

The undersigned has examined the case thoroughly and perused the relevant facts in the light of CPIO reply and under the provisions of RTI Act; consequently he concluded that the part of the query at Point No. 2 i.e. the information about membership strength of each Union / Association existed in IMD may be provided to appellant. This appeal is disposed of accordingly.

S. Kundu
11/6/15

(S. K. Kundu)

Scientist 'F' & First Appellate Authority

Enclosure: as above.

To,
Sh. Vijay Koyende
57, Jogeshwari Mata, CHSL
Building No. 5/B, Sai Siddhi Sankul,
WE Highway, Jaycoach,
Jogeshwari (E), Mumbai – 400060.

Copy to:

- ✓ (1) Establishment Division at HQ to provide information about membership strength of each Union/ Association of IMD to CPIO so that the same can be furnished to the appellant under the provisions of RTI Act, 2005.

(In case, if he is not satisfied with this decision he may prefer an appeal under the provisions of 19(3) of RTI Act to Central Information Commission, R. No. 308, 2nd Floor, 'B' Wing, August Kranti Bhavan, Bhicaji Cama Place, New Delhi – 110003.)

Received

S. Kundu
12/6/15