

(91)

**GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
OFFICE OF THE REGIONAL DIRECTOR  
NORTHERN REGION  
A-14, PDIL BHAWAN, SECTOR-I,  
NOIDA-201 301**

TELEPHONE NO: 2445342 (D)/43  
FAX No. 2445341

No.2(221)ERD/4480

Dated: 23.10.09

**OFFICE ORDER**

In supersession of this Directorate's Office Order No.2(245)ERD/4185-4188 dated 07.10.2009 and in partial modification (Item No.12) of this Directorate's Office Order Nos. 6<sup>th</sup> Pay Commission/ERD/08/9342 dated 26.09.2008 and in terms of letter dated 23.09.09 wherein Shri K.M. Shankarnayana, STA has given an option under FR 22(1)(a)(1) for fixation of pay from the date of his promotion read-with Ministry of Finance (Department of Expenditure) (Implementation Cell) Office Memorandum No.F.No.1/1/2008-IC dated 13.09.2008 regarding clarification on CCS (Revised Pay) Rules, 2008. As per para No.2 of the aforesaid Office Memorandum, "Government Servant has an option under FR 22(1)(a)(1) to get his pay fixed in the higher post either from the date of his promotion, or from date of his next increment viz. 1st July of the year on his promotion from one grade to another/financial up-gradation under ACP". As per para No.2(a) "Government servant opts to get his pay fixed from the date of next increment, then, on the date of promotion, pay in the pay band shall continue unchanged, but the grade pay of the higher post will be granted and re-fixation will be done on the date of his next increment i.e. 1st July. On that day, he will be granted two increments, one annual increment and the second on account of promotion. In view of the above, the pay of Shri K.M. Shankarnayana, STA (as per calculation sheet attached) is hereby again re-fixed w.e.f. 01.01.2006 as under:-

Pay as on	Pre-revised scale and pay	New Pay Band (in Rs.)	New Pay (In Rs.)	Grade pay (In Rs.)
01.01.2006	Rs.6200 (5000-8000)	9300-34800	11540	4200
01.07.2006	Rs.6350 (5000-8000)	9300-34800	12020	4200
09.03.2007 (Date of promotion from JTA to STA)	Rs.6700 (As per VIth pay commission STA pre-revised pay upgraded from 6500-9000 to 7450-10500 w.e.f. 01.01.06)	9300-34800	12020	4600 (w.e.f.09.03.2007)
01.07.2007	Rs.6700 (7450-10500)	9300-34800	13020 (after granted of 2 increments 1st annual increment and 2 <sup>nd</sup> on promotion as per aforesaid OM)	4600
01.07.2008		9300-34800	13550	4600
01.07.2009		9300-34800	14100	4600

(T.P. Shami)  
Joint Director (Inspn.)  
For Regional Director

92


(2)

Endt.No.2(221)ERD/ 4980

Dated: 23-10-07

Copy for information and necessary action to:-

1. Shri K.M. Shankarnayana, STA , O/o. RD(NR) Noida.
2. Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi.
3. Office Cashier (2 copies), with the directions to calculate the due & drawn as per order.
4. Service Book of Shri K.M. Shankarnayana, STA, O/o. RD(NR), Noida

  
(T.P. Shami)

Joint Director (Inspn.)  
For Regional Director

EU-493476538

93

2

भारत सरकार  
कारपोरेट कार्य मंत्रालय  
कार्गलय प्रादेशिक निदेशक  
(उत्तरी क्षेत्र)  
ए-14, (भूतल), पी.डी.आई.एल. भवन  
सेक्टर -1, नोएडा - 201301 (उ. प्र.)



GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
OFFICE OF THE REGIONAL DIRECTOR  
(NORTHERN REGION)  
A-14, (Ground Floor), PDIL Bhawan,  
Sector-1, NOIDA - 201301 (U. P.)  
फोन / Phone : 0120-2445342 / 43 / 44  
फैक्स / Fax : 2445341  
वेबसाइट / Website : www.mca.gov.in

BY SPEED POST

Dated : 05.05.2014

RTI

No. RTI/47/2014/ 1047

✓ The Chief Public Information Officer,  
Ministry of Corporate Affairs,  
AD-II, New Delhi

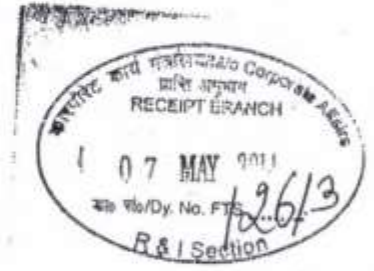
The Serious Fraud Investigation Office,  
New Delhi

The Secretary,  
Company Law Board,  
New Delhi/Kolkata/Mumbai/Chennai

The Regional Director,  
Mumbai/Kolkata/Chennai/Hyderabad/Ahmedabad/Guahati

The Registrar of Companies,  
Delhi/Kanpur/Chandigarh/Jammu/Nainital/Shimla

The Official Liquidator,  
Delhi/Allahabad/Chandigarh/Jammu



Sub : Transfer of Application under section 6 (3) of the Right to Information Act, 2005 - Information sought under Right to Information Act, 2005 by Shri Nilish Sharma

Sir,

I am directed to transfer a RTI Application dated 30.04.2014 of Shri Nilish Sharma received on 01.05.2014 under section 6 (3) of the Right to Information Act, 2005 for necessary action at your end. You are requested to furnish the information directly to the applicant under intimation to this Directorate in respect of RTI queries pertains to your office particularly RTI queries No. 2 to 7 and 11 to 13.

2. In respect of Official Liquidators and Registrar of Companies under jurisdiction of the Regional Director, (Northern Region), Noida, the RTI queries from 1 to 13, if pertains to their office may also be replied directly to the applicant as per the Right to Information Act, 2005.

Encl

Encl : As Above.

173/05/10001  
08/05/2014

Yours faithfully,

पंकज शrivastava

(Pankaj Srivastava)

Assistant Central Public Information Officer  
O/o the Regional Director, N. R.  
Noida

Dated : 05.05.2014

Endf. No RTI/472014/

Copy to Shri Nilish Sharma D109/A, Gali No. 1, Burari Road, Saroop Nagar, Delhi - 110042 for Information.

पंकज शrivastava

(Pankaj Srivastava)

Assistant Central Public Information Officer  
O/o the Regional Director, N. R.  
Noida

94

3

Dated 30.04.2014

The CPIC,  
O/o Regional Director (NR)  
Ministry of Corporate Affairs,  
NOIDA

प्रादेशिक निदेशक (उत्तरी क्षेत्र)  
कॉरपोरेट कार्य मंत्रालय  
01 MAY 2014  
डायरी सं. 1167  
पी.डी.आई.एल. भवन, नोएडा

Subject: Application under section 5 of the RTI Act, 2005

Sir,

I am to say that I am in urgent requirement of following information under RTI Act, 2005.

11/5/14  
JD (SK)  
JPA (R)  
AP  
11/5/2014

- Note: I) IPO bearing No. 13F 865215 for Rs. 10/- towards requisite fee is enclosed. However, any other additional fee towards cost of information may kindly be informed.
- II) Please provide pointed and specific replies to each point.
- III) Applicant may not be called for inspection in vogue calling records voluminous. In case such inspection in solicited all the files, registers, documents available for the purpose may kindly in intimated separately and those are not available may be denied since it has been evident that applicant was called for inspection but was provided few of records against of originally offered in reply.

- 1) As your goodself is aware of the fact that different suits/ application has been preferred against MCA for harassments inflicted upon me in multifold be it by withholding promotion, macp, upgradation consequent upon restructure, seniority, regularization of service from the date of initial appointment, break in service, equality before law, etc. The Honorable Principal Registrar in one of such application bearing OA 4291/2013 observed that summons of private parties Respondent No. 5, 6 and 7 were returned back by the Directorate with remarks "retired" and reluctance of the rest of the parties to pursue the said OA since no relief detrimental to their interests has been prayed for, thus desired to delete their names for expeditious disposal. However, before parting them following information are required to have holistic view to the end of the justice.
- a) Kindly provide the certified copies of all of the order for promoting or upgrading consequent upon restructure and granting ACP or MACP to Sh/Smt. Shree Ram, Soman. B, S.R. Avasthy, B.L. Balani, R.P. Shukla, Anita Kohli, Jyoti Hungloo, Anupma Zutshi, Prashant Kumar, Kailash Chander, Krishan Kumar, Rajesh Kumar Verma, Jagadamma, P, Mohd. Usman, Nandan Singh Bisht, Sneh Lata, Nitish Sharma.
- b) Kindly provide the residential addresses of Sh/Smt. Shree Ram, Soman. B, S.R. Avasthy, B.L. Balani, R.P. Shukla, MS BOSE
- c) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Shree Ram for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- d) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Soman. B for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- e) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. S.R. Avasthy for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- f) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. B.L. Balani for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.

95

74

- g) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. R.P. Shukla for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- h) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Anita Kohli for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- i) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Jyoti Hungloo for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- j) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Anupma Zutshi for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- k) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Prashant Kumar for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- l) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Kailash Chander for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- m) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Krishan Kumar for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- n) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Rajesh Kumar Verma for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- o) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Jagadamma, P for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- p) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Mohd. Usman for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- q) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Nandan Singh Bisht for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- r) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Sneh Lata for upgrading him/her consequent upon restructure order dated 6.07.2000 or cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.
- s) Kindly provide the certified copies of all the representations if any submitted by Sh./Smt. Nitish Sharma for upgrading him/her consequent upon restructure order dated 6.07.2000 or

96

5

cadre review Stenographical/Assistant consequent upon recommendation upon 5th or 6th CPC and also intimate progress/ action taken thereof.

- t) Kindly provide the certified copies of all the representations if any submitted by Smt. Sumitha for upgrading him consequent upon restructure order dated 6.07.2000.
  - u) Kindly provide the certified copies of all the representations if any submitted by Sh. MS BOSE for upgrading him consequent upon restructure order dated 6.07.2000.
- 2) In recent years MCA/Directorate appointed JTAs/STAs/CPs but it has been observed that there were discrepancies in the Advertisements detrimental to interests in ram.
- a) Please provide certified copies of advertisement for filling up of the posts of JTA/STA/CPs notified/ published since 2009 and also provide certified copies of requisitions sent to SSC/UPSC.
  - b) Please intimate the name of the candidate and his/her father's, mothers, spouse name appointed as JTA/STA/CP since 2009.
  - c) Please intimate all the successful candidates appointed as JTA/STA/CP whose father, mother, spouse, siblings uncle, aunty or any other relatives were already in the Service with MCA.
  - d) Please provide all the communications exchanged between MCA/Directorate and SSC/UPSC with regard to eligibility conditions of appointment (including communication exchanged with SSC Allahabad).
- 3) Though the DOPT on several occasion directed all ministry (including MCA) for Cadre Review, Recruitment Rules in every 5 years but MCA has apathies stenographical, office superintend cadre even referred it dying cadres with result that superficial stagnation were implicated to the incumbents. The cadre might have been dying but not living incumbents. Even if the requirements of such posts might have lost in the wake of changed working e-governance environment and they could have been redeployed by retraining through IICA constituted for the purpose. It may not be out of place to mention here that stenographers are having competitive qualification to their counterparts in clerical posts yet have least promotion avenues. In other Ministries like as Income Tax Department in Finance Ministry Steno Gr. III is the feeder post of technical posts like as Inspector. In fact in MCA also Steno were in the feeder post for JTA thro DPE but the same has been discontinued. It shall not been exaggerated that stenos has contributed finest ICLS officers to the MCA.
- a) Please provide the certified copies of all the proposals, file noting, correspondence with regard to cadre review of Stenographer and also intimate the progress thereof.
  - b) Please also intimate all cadre reviews that have taken place for stenographer during last twenty years.
  - c) Please provide the certified copies of all the proposals, file noting, correspondence with regard to cadre review of cadre of Office Superintendent and also intimate the progress thereof.
  - d) Please also intimate all cadre reviews that have taken place cadre of Office Superintendent during last twenty years.
  - e) Please provide the certified copies of all the proposals, file noting, correspondence with regard to cadre review for various posts and also intimate the progress thereof.
  - f) Is it true in recent proposal for cadre review of various posts in MCA it has been asserted that there is no requirement for reviewing cadre of stenographer as already been reviewed. Please provide details of such cadre review.
  - g) Kindly provide the certified copies of quarterly return in respect of RRs for the posts in Stenographical and Office Superintendent cadres as desired by DOPT vide its OM AB

not maintained

20/11/11

97 6

14017/61/2008-Estt(RR) dated 31.03.2014. In case of non-existence of such report kindly intimate the reason for non-adherence to the said OM.

- 4) Since my absorption the MCA/ Directorate has been indulged in throwing mud/ accusation on me without any substance in sequel/ consequence to each. Recently being aggrieved by denial of promotion, macp, seniority I have submitted fresh representation/ appeal dated 8.02.2013 as desired by Directorate but the same was not forwarded ROC whereas last one was refused to be considered by the Directorate being not forwarded by ROC. Even after much of persuasions ROC coerced to delete the ground of appeal in his fancy yet not forwarded despite of RTI and legal notice in this regard. And at that stage while forwarding my representations ROC alleged misconduct by visiting foreign country whereas as per MCA's prima facie he himself was liable for disciplinary action by not forwarding my request for permission to visit foreign country on the same date and for his willful omission to stop me to perform journey.
- a) Please provide the certified copies of all correspondence exchanged (including to embassies), file noting I MCA/Directorate/ROC with regard to alleged misconduct of visiting foreign country without prior permissions.
  - b) Please provide certified copies of office memo seeking explanations from ROC for his willful failure to forward my request for permission to visit foreign country on the same date and omission to stop me to perform journey. And also provide certified copies of ROC's explanation if any.
  - c) MCA in its OM of even date asserted that instances have come to their knowledge where employees in field offices perform journey to foreign countries without permission. Kindly disclose names of all such employee and details of such instance i.e. correspondences, file noting and also intimate action taken with reasoning in this regard.
  - d) Whereas all such employees seems to dealt with leniency but I was subjected to selective application of law. Please intimate the reasons for such harsh treatment, apathy shown to me.
  - e) Kindly intimate/ quote the rules which have been breached by foreign visits without permission.
  - f) As per my knowledge foreign visit without permission itself does not constitute misconduct but it was breach of FR 11 leaving station without permission. In this regard kindly intimate all the instances of journey performed outside station by all the employees posted in the MCA or its field offices during last 5 years.
  - g) Kindly intimate Leave Travel Concession availed by all the employees posted in the MCA or its field offices during last 5 years.
  - h) Kindly provide the certified copies of explicit prior permission granted to leave station in view of the journey (referred in para 4f and 4g hereinabove).
  - i) Kindly intimate the names and details of journey (referred in para 4f and 4g hereinabove) performed in breach of FR 11 i.e. Station Leave permission. And also intimate separately action taken upon such employees.
- 5) MCA/Directorate have always indulged in avoidable litigations against me on the cost public money on the other hand I was forced to endure hardships.
- a) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue OA No. 739 of 2002 before Hon'ble CAT.
  - b) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to OA No. 739 of 2002 before Hon'ble CAT maintained in the MCA/Directorate/ any other field offices.

- 98 7
- c). Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue OA No. 739 of 2002 before Hon'ble CAT.
  - d) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue CP 73 of 2004 before Hon'ble CAT.
  - e) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to CP 73 of 2004 before Hon'ble CAT maintained in the MCA/Directorate/ any other field offices.
  - f) Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue CP 73 of 2004 before Hon'ble CAT.
  - g) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue CWP 13324 of 2004 before Hon'ble Delhi High Court.
  - h) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to CWP 13324 of 2004 before Hon'ble Delhi High Court maintained in the MCA/Directorate/ any other field offices.
  - i) Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue CWP 13324 of 2004 before Hon'ble Delhi High Court.
  - j) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue RA 34 of 2006 before Hon'ble CAT.
  - k) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to RA 34 of 2006 before Hon'ble CAT maintained in the MCA/Directorate/ any other field offices.
  - l) Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue RA 34 of 2006 before Hon'ble CAT.
  - m) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue OA 2455 of 2006 before Hon'ble CAT.
  - n) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to OA 2455 of 2006 before Hon'ble CAT maintained in the MCA/Directorate/ any other field offices.
  - o) Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue OA 2455 of 2006 before Hon'ble CAT.
  - p) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue CP 371 of 2006 before Hon'ble CAT.
  - q) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to CP 371 of 2006 before Hon'ble CAT maintained in the MCA/Directorate/ any other field offices.



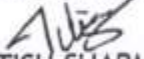
- (99) (8)
- r) Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue CP 371 of 2006 before Hon'ble CAT.
  - s) Kindly provide the details of legal expenses incurred (including professional fee paid to advocate, misc. exp.) by the MCA/Directorate/ any other field offices/ Litigation branch in order to pursue CWP 17780 of 2006 before Hon'ble Delhi High Court.
  - t) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. with regard to CWP 17780 of 2006 before Hon'ble Delhi High Court maintained in the MCA/Directorate/ any other field offices.
  - u) Kindly provide the details of TA/DA expenses paid to representative to attend court proceeding by the MCA/Directorate/ any other field offices and also intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in order to pursue CWP 17780 of 2006 before Hon'ble Delhi High Court.
  - v) Similarly, kindly separately provide details of expenditure involved in legal expenses (including professional fee to advocate, misc. exp.) and TA/DA paid to representative for attending court proceeding in OAs 4291, 4293, 4297, 4299, 4300, 4301 and 4306 all of 2006 pending before Hon'ble CAT
  - w) Kindly provide the certified copies of all communication (including internal), file noting, legal opinion etc. maintained in the MCA/Directorate/ any other field offices and also provide intimate nature and duration of leave taken by such representative or whether attendance was treated as 'on duty' in respect of OAs 4291, 4293, 4297, 4299, 4300, 4301 and 4306 all of 2006 pending before Hon'ble CAT
- 6) Kindly provide the certified copies of all communication/ correspondence (including internal communication) and file notings maintained in MCA/Directorate/ ROC with regard to disposal of my RTI Application dated 22.04.2013.
  - 7) Kindly provide the certified copies of all communication/ correspondence (including internal communication) and file notings maintained in MCA/Directorate/ ROC with regard to disposal of my RTI Application dated nil disposed of vide Directorate letter No. RTI/33/2014/491 dated 17.04.2014.
  - 8) Kindly intimate the action taken upon my representation dated 8.02.2013 and also provide certified copies of correspondences, file notings in this regard.
  - 9) Kindly intimate the action taken upon my representation dated 19.02.2013 and also provide certified copies of correspondences, file notings in this regard.
  - 10) Kindly provide certified copy of the report dated 1.11.2006 as sought from ROC, Jaipur
  - 11) The DOPT vides its various OMs has directed DPCs to make separate year wise panel in accordance to vacancy years while recommending for promotion but it is observed that in DPCs convened in MCA/Directorates the said OMs are grossly violated. Please communicate the reason for non-adherence to said directions. And also supply certified copies of minutes wherein year wise in respect of vacancies are being recommended by the DPCs.
  - 12) The DOPT vides its OM No. 22011/9/98-Estt(D) dated 14.12.2010 has took serious note on delay in convening DPC impeding career progress and increase in litigations. DOPT further directed to fix responsibility for the same. Whereas in RD(NR) has grossly delayed DPCs for almost 14 years for filling up of vacancies of Stenographers consequent upon restructure in 2000 & 1999. Similarly, DPC for filling up of vacancies to the Post of Assistant has also been delayed for 3 years. In this regard kindly disclose the name of the officer responsible for delay in convening DPCs. Kindly intimate the reasons for non-fixing of responsibilities, if yet not been fixed:

100

19

- 13) The DOPT guidelines on Procedure for Review DPC vides OM- No. 22013/97-Estt(D) dated 13.04.1998 has clarified that in case of non-reporting of vacancies, eligible person was omitted to be considered and procedural lapse in DPC, Review DPC is necessitated. Please communicate the reasons for non-convening of Review DPC in apparent delay of almost 14 years in reporting of vacancies in Stenographer consequent upon restructure, eligible persons were omitted to be considered on pretext of 8 years of qualifying service in Steno Gr. III whereas RR provides only 5 years of eligible service and on account of break in service. Please also provide action taken, progress and proposal if any in this regard.

Yours sincerely,



(NITISH SHARMA)

D-109/A, Burari Road,  
Saroop Nagar, Delhi -110042

101

F. No. A-44011/23/2014-Ad.II  
Government of India  
Ministry of Corporate Affairs

Room 520, A Wing, 5<sup>th</sup> Floor, Shastri Bhawan,  
New Delhi - 110001, dt 06-06-2014

To

✓ Sh. Nitish Sharma  
D-109/A, Burari Road  
Saroop Nagar, Delhi-110042

**Subject: Information under the Right to Information Act, 2005.**

Sir,

The reply, to your application dated 30-4-2014 containing 13 points (and received by CPIO, Ad.II on 9-5-2014), is as under :

(i) It is not possible to give you information, as information sought by you is coming under various exemptions like Sec 7(9), Sec 8(e), Sec 8(g), Sec 8(j), Sec 9 of the Act.

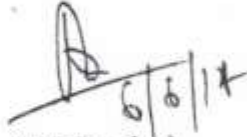
(ii) Secondly, large number of points in your application requires **creation of information by the public authority for the sake of information seeker**. This is not permissible under the Act. In this regard, attached DOPT circular dt 16-9-2011 may be seen for guidance.

(iii) Thirdly, in the interest of disclosure of information, in public interest, you are requested to pin point and identify specific documents/files (their noting portion, their correspondence portion), which should be in possession of CPIO, Ad.II as per any law/rule, so as to enable prompt supply of information.

2. If you are not satisfied with the above information, an appeal may be preferred to the First Appellate Authority, within 30 days of the receipt of this letter at following address :

Sh. Alok Kumar,  
Director, Ministry of Corporate Affairs, Room No. 528, 'A' Wing,  
5<sup>th</sup> Floor, Shastri Bhawan, New Delhi-110001 Tele. 23382386

Yours faithfully

  
(RK Pandey)  
CPIO of Ad.II  
Ph. 23389298

o/c

Copy for information to :

- ✓ (i) Regional Director, North wrt. letter No. RTI/17/2014/1047 dated 5/5/2014
- ✓ (ii) RTI-Coord wrt. letter dated 8/5/2014.

06/06/2014