

No.10/4/2012-RTI
Government of India
Ministry of Power

Shram Shakti Bhawan, Rafi Marg,
New Delhi-110001
Dated: 27th Feb, 2014

To,

Shri Abhijit Roy,
House No.926, 2nd Floor,
Sector-23 A, Gurgaon, Haryana-122017

Sub: Appeal under Section 19(1) of the RTI Act, 2005.

Sir,

With reference to your Appeal dated 24th Feb, 2014 preferred before the First Appellate Authority, M/o.Power, it is stated that your application dated 6th Jan, 2014 (Reg. No.POWER/R/2014/60012) was transferred to PFC & REC under Section 6(3) of the RTI Act, 2005 and you were also advised to approach PIO of Tripura State Govt./TSECL.

2. The information related to Tripura state Electricity Corporation Ltd.(TSECL), which is constituted by Deptt. of Power, Govt. of Tripura. It comes under the purview of the State Govt. of Tripura. The information regarding loan/grant received by TSECL from PFC/REC and its repayment by TSECL, would be available with TSECL or with PFC/REC. There is no mention about loan and grant released by M/o.Power. Accordingly, transfer of the application to PFC/REC is found in order w.r.t Point (1) to (6) of the RTI application. Authentication of the reply provided by PFC/REC, separate Public Authorities under the RTI Act, 2005, can be done by custodian of the records i.e. PFC/REC in this case.

3. In Point (7) to (10), the information relating to the details of loan/grant provided by Govt. of India or Govt. of Tripura to TSECL has been sought. No loan/grant is paid directly to the State corporations/agencies like TSECL by the M/o.Power. For example, Under APDRP Scheme of the Ministry, the fund is released to PFC, the nodal agency. PFC further release fund to State Govt./ Agencies. As such, your application was transferred to PFC. It is not possible for CPIO, M/o.Power to know from whom TSECL gets loan/grant, and do not maintain such data regarding receipt of loan/grant by TSECL and its repayment. But, TSECL/State Govt. of Tripura have such data; and it is mandated for them to provide the same under the RTI Act, 2005. Accordingly, advice was given to you by the CPIO and Under Secretary (RTI), M/o.Power to approach them. In view of the above, the decision taken by CPIO & US(RTI) to transfer the application to PFC and REC and advising you to approach PIO of Tripura State Govt./TSECL, is in order.

4. CPIO&US(RTI) in the nodal division-RTI, M/o.Power had transferred your application to PFC and REC, under intimation to you. The RTI Cell/Nodal Division of the Ministry has been constituted in line with the instructions issued by DoPT to receive the RTI applications/Appeal and to forward/route the same to the CPIOs/AAs of M/o.Power or other authorities for taking necessary action, as the case may be.

Further, as per O.M. No.1/18/2011-IR dated 16th Sept, 2012 of DoPT, the Supreme Court has clarified under the definition of 'information' of the RTI Act, 2005 that the CPIO is required to furnish such information which is available with him. The RTI Act, 2005 does not cast any obligation upon the CPIO to collect or collate information not already available with him to be furnished to the applicant. As such, CPIO, M/o.Power can provide the information available in the Ministry only.

5. It has already been stated that no loan/grant is being paid directly to the State corporations like TSECL by the M/o.Power. As TSECL deals with generation, transmission and distribution of electricity, some Organizations/ PSUs of the Ministry may have also released loan/grant to TSECL or have maintained such information, **your application is accordingly forwarded/transferred to such organizations/PSUs as well as to CPIOs of the Ministry w.r.t Point (7) to (10) only.**

However, you are once again advised to approach Govt. of Tripura, Deptt. of Power and TSECL also to get full details directly from them, as they are covered under the RTI Act, 2005 rather than from 9-10(or more) Public Authorities.

6. In view of the above discussions, your appeal stands disposed off.

Yours faith fully,

R.Chaturvedi
(R.Chaturvedi)

AA &Deputy Secretary (RTI)

Copy for necessary action to:

CPIO&US (APDRP), US(RE), US(PG/Trans.), M/o.Power alongwith the RTI application. In case the information sought for by the applicant also pertain to some other CPIO(s) in the Ministry and organizations under it or to some other Ministry (ies) /Department (s) the same may also be transferred to him/them under Section 6 (3) of the RTI Act 2005 with intimation to the RTI Cell, Ministry of Power.

Copy for necessary action to;

(1) Nodal Officer (RTI)/CPIO, CEA, NTPC, NEEPCO, NHPC, SJVNL, PGCIL The RTI application is transferred under Section 6(3) of the RTI Act, 2005 with the request to provide the requisite information directly to the applicant.

R.Chaturvedi

श्री २१/१२/१३
२२/१२/१३
३०/१२/१३
५/३/१३

RTI MATTER

No. 10/1/2014-RTI/60012

Government of India
Ministry of Power

Shram Shakti Bhawan, Rafi Marg,
New Delhi-110001, Dated: 07th Jan, 2014.

To

1. Nodal Officer(RTI),
Power Finance Corporation Ltd.(PFC),
Urjanidhi, Barakhamba Lane,
Connaught Place, NEW DELHI-110001.
2. Nodal Officer(RTI),
Rural Electrification Corporation (REC),
Lodhi Road, Scope Complex, NEW DELHI-110 003.

Sub:- Application of Shri Abhijit Roy under RTI Act, 2005.

Sir,

The RTI application dated 6/1/14 of Shri Abhijit Roy (Reg. No.POWER/R/2014/60012) received online is being transferred under Section 6(3) of the RTI Act, 2005 for taking further necessary action.

Encl. As above.

Yours faithfully,

S. Benjamin

(S.Benjamin)

CPIO & Under Secretary (RTI)

Copy for information to;

Shri Abhijit Roy, House No.926, 2nd Floor, Sector-23 A, Gurgaon-122017. You are requested to pursue the matter with addressees of this letter incase non-receipt of reply.

Further, it is stated that TSECL comes under the purview of the State Govt. of Tripura. In this regard, reference to DOPT's O.M no. 10/2/2008-IR dated 12/06/2008 may be taken, wherein it has been clearly clarified in Para 3(iv) that if a person makes an application to a public authority for some information which is the concern of a public authority under any State Government or the Union Territory Administration, the Central Public Information Officer (CPIO) of the public authority receiving the application should inform the applicant that the information may be had from the concerned State Government/UT Administration. Application, in such a case, need not be transferred to the State Government/UT Administration. As such the requisite information is not available with the Ministry. In term of aforesaid O.M, it is not appropriate to transfer your application under Section 6(3) of the RTI Act, 2005 to any PIO of the State Government. However, you may directly approach to the PIO concerned in the Tripura State Government/TSECL.

RTI REQUEST DETAILS

Registration No. : POWER/R/2014/60012

Date of Receipt : 06/01/2014

Type of Receipt : Online Receipt

Language of Request : English

Name : Abhijit Roy

Gender : Male

Address : House no:926, 2nd Floor,, Sector-23A, Gurgaon, Pin:122017

State : Haryana

Country : India

Phone No.: Not Provided

Mobile No. : +91-9810239172

Email : aroymail@gmail.com

Status(Rural/Urban) : Urban

Education Status : Above Graduate

**Is Requester Below
Poverty Line ? :** No

Citizenship Status Indian

Amount Paid : 10

Mode of Payment Payment Gateway

**Mode(s) of information
Supply :** Hard Copy

Request Pertains to : Yet to be assign to CPIO

Please provide me the below mentioned information (10 points). These are related with Tripura State Electricity Corporation Ltd (TSECL), Agartala, Tripura

1. Please inform yearwise loan amount and grant amount received by TSECL from Power Finance Corporation Ltd (PFC) since financial year 2004-2005 to till date.

2. Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from Power Finance Corporation Ltd (PFC). Please mention both Principal amount and interest portion.

3. Please also mention the name of the scheme under which loan and grant was provided to TSECL by Power Finance Corporation Ltd since year 2004-2005 to till date.

4. Please inform yearwise loan amount and grant amount received by TSECL from Rural Electrification Corporation Ltd (REC) since financial year 2004-2005 to till date.

5. Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from Rural Electrification Corporation Ltd (REC). Please mention both Principal amount and interest portion.

Information Sought :

6. Please also mention the name of the scheme under which loan and grant was provided to TSECL by Rural Electrification Corporation Ltd (REC) since year 2004-2005 to till date.

7. Please inform yearwise loan amount and grant amount received by TSECL from Government of India except PFC and REC since financial year 2004-2005 to till

Handwritten notes:
 PFC to be sent immediately
 REC to approach State Govt.
 TSECL
 can be issued.
 [Signature]

date.

8. Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from Government of India except PFC and REC. Please mention both Principal amount and interest portion

9. Please also mention the name of the scheme under which loan and grant was provided to TSECL by Government of India except PFC and REC since year 2004-2005 to till date.

10. Please provide copy of the approval letter alongwith terms and condition of latest loan and grant received by TSECL from Power Finance Corporation Ltd (PFC), Rural Electrification Corporation Ltd (REC), Government of India and Government of Tripura.

Ref no: AR/RTI/140224/1/TSECL/MOP

Date: 24th Feb, 2014

To,
Shri R.Chaturvedi,
Deputy Secretary & Appellate Authority,
Ministry of Power,
Government of India,
Room No.434, 4th Floor,
Shram Shakti Bhawan,
New Delhi – 110001

Sub: Appeal before First Appellate Authority related with RTI application

Ref: RTI Application no POWER/R/2014/60012, dated 06-01-2014.
Your letter vide Letter no: 10/1/2014-RTI/60012, Dated 07-01-2014

Name and Address of RTI Applicant

Mr. ABHIJIT ROY, House no: 926, 2nd Floor, Sector-23A, Gurgaon, Haryana, Pin:122017
Father Name: Mr. Pramatha Ranjan Roy, Contact no: 9810239172

Name and Address of CPIO

Mr. S. Benjamin, CPIO & Under Secretary (RTI), Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.

Dear Sir,

I registered one online RTI application request vide no POWER/R/2014/60012, dated 06-01-2014 related with central government's fund disbursement to Tripura State Government.

RTI application was forwarded by CPIO, MoP to Power Finance Corporation Ltd and Rural Electrification Corporation Ltd.

I received reply vide letter no: 10/1/2014-RTI/60012, **Dated 07-01-2014** from Mr. S. Benjamin, CPIO & Under Secretary (RTI), Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001. I received reply vide letter no: 1:05:108:1: RTI (562), **Dated 03-02-2014** from Mr. Manohar Balwani, Power Finance Corporation Ltd, Company Secretary & PIO, Urjanidhi, 1 Barakhamba Lane, Connaught Place, New Delhi-110001. I received reply vide letter no: REC/RTI/173/13-14/308/924, **Dated 04-02-2014** from Mr. S.L.Batta, PIO(RTI), Rural Electrification Corporation Ltd., Core no 4, Scope Complex, Lodhi Road, New Delhi-110003

I am not satisfied with the reply received from all the three CPIOs mentioned above. Please find attached herewith my First Appeal in Annexure-I. There are total two pages in Annexure-I. I request you to provide information against this first appeal on ten points.

With regards.

Yours faithfully,

Abhijit Roy

(ABHIJIT ROY)

Enclosures:

1. Copy of Letter vide no: 1:05:108:1:RTI (562), Dated 03-02-2014
2. Copy of Letter vide no: REC/RTI/173/13-14/308/924, Dated 04-02-2014

15/05(ARTI)

Annexure -I

RTI Application no POWER/R/2014/60012, Dated 06-01-2014.

Appeal before First Appellate Authority, Ministry of Power, Government of India

First Appeal Date: 24th Feb, 2014

Sl no	Information Sought against RTI no POWER/R/2014/60012, Dated 06-01-2014	Reply by Ministry of Power (MoP) vide Letter no: 10/1/2014-RTI/60012, Dated 07-01-2014	Reason for Dissatisfaction of Abhijit Roy against PIO reply. My First Appeal to Ministry of Power (MoP),GOI
1	Please inform yearwise loan amount and grant amount received by TSECL from Power Finance Corporation Ltd (PFC) since financial year 2004-2005 to till date.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information is not available with the Ministry.	My point was related with PFC and PFC is under Ministry of Power (MoP), Government of India. As per My opinion MoP decides the disbursement of Loan and grant to state government, as well as to the state government agencies. MoP can't say that the information is not available with Ministry. I request Ministry of Power to authenticate the reply of PFC vide Letter no: 1:05:108:I:RTI (562), Dated 03-02-2014
2	Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from Power Finance Corporation Ltd (PFC). Please mention both Principal amount and interest portion.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	
3	Please also mention the name of the scheme under which loan and grant was provided to TSECL by Power Finance Corporation Ltd since year 2004-2005 to till date.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	
4	Please inform yearwise loan amount and grant amount received by TSECL from Rural Electrification Corporation Ltd (REC) since financial year 2004-2005 to till date.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	My point was related with REC and REC is under Ministry of Power (MoP), Government of India. As per My opinion MoP decides the disbursement of Loan and grant to state government, as well as to the state government agencies. MoP can't say that the information is not available with Ministry. I request Ministry of Power to authenticate the reply of REC vide Letter no: REC/RTI/173/13-14/308/924, Dated 04-02-2014.
5	Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from Rural Electrification Corporation Ltd (REC). Please mention both Principal amount and interest portion.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	
6	Please also mention the name of the scheme under which loan and grant was provided to TSECL by Rural Electrification Corporation Ltd (REC) since year 2004-2005 to till date.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	
7	Please inform yearwise loan amount and grant amount received by TSECL from <u>Government of India</u> except PFC and REC since financial year 2004-2005 to till date.	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	My point was related with <u>Government of India</u> . <u>Only Ministry of Power (MoP)</u> can provide information on this point. As per my opinion MoP decides the <u>disbursement of Loan and grant to state government</u> , as well as to the <u>state government agencies</u> . MoP can't say that the <u>information is not available with Ministry</u> . I
8	Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from <u>Government of India</u> except PFC and REC. Please mention both Principal amount and interest portion	Further, TSECL comes under the purview of the state Govt. of Tripura. ----- As such the requisite information id not available with the Ministry.	
9	Please also mention the name of	Further, TSECL comes under	

Abhijit Roy



पावर फाइनेंस कॉर्पोरेशन लिमिटेड
POWER FINANCE CORPORATION LTD.
(भारत सरकार का उपक्रम) (A Govt. of India Undertaking)

(आई.एस.ओ. 9001:2008 प्रमाणित)

(ISO 9001:2008 Certified)

Dispatch Ref. No. 017218

No. 1:05:108:I:RTI (562)

Dated : 03.02.2014

Shri Abhijit Roy,

House No. 926,

2nd Floor,

Sector-23A,

Gurgaon-122017.

HARYANA (INDIA).

Subject: Information under Right to Information Act, 2005.

Sir;

This is with reference to your application dated 06.01.2014, forwarded to us through the Ministry of Power (MoP) vide its letter No. 10/1/2014- RTI dated 07.01.2014 under Section 6(3) of the Right to Information Act, 2005. In your application, you have sought information regarding loan amount and grant received by Tripura State Electricity Corporation Limited (TSECL), Agartala, Tripura and other related questions.

In this connection, we wish to inform you that the relevant para-wise information pertaining to Power Finance Corporation Limited (PFC), is given as under:-

S. No.	Information sought	Reply
1.	Please inform yearwise loan amount and grant amount received by TSECL from Power Finance Corporation Limited (PFC) since financial year 2004-2005 to till date.	The statement depicting yearwise disbursement by PFC to TSECL since financial year 2004-05, is annexed at <u>Annexure-1</u> .
2.	Please also inform yearwise repayment amount paid by TSECL against the loan and grant received from Power Finance Corporation Limited (PFC). Please mention both Principal amount and interest portion.	Projects for which funds have been sanctioned to TSECL (as mentioned in point no. 1 above), are under implementation. Project implementation schedule is 5 years from sanction as approved by MoP and hence repayment is not yet due.

Year wise Disbursement by PFC to TSECL

Annexure-1

S.No	YEAR	Loan	Grant	RAPDRP
1	2004-05	0	0	0
2	2005-06	0	0	0
3	2006-07	0	0	0
4	2007-08	0	1500000	0
5	2008-09	0	0	0
6	2009-10	0	0	103080000
7	2010-11	0	0	0
8	2011-12	0	0	430707971
9	2012-13	0	0	67100000
10	2013-14	0	0	0
	Total	0	1500000	600887971

Statement

No. REC/RTI/173/13 14/ 308/924

February 04, 2014

Shri Abhijit Roy
House No. 926, 2nd Floor,
Sector 23A
Gurgaon - 122017

Sub: Information sought under RTI Act, 2005.

Sir,

This is with reference to your Application dated 06.01.2014 transferred under section 6(3) RTI Act, 2005 by the CPIO and the Under Secretary to the Government of India, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi vide their letter dated 07.01.2014 to this Corporation and received in this office on 13.01.2014 with a request to provide the information under RTI Act, 2005 directly to the Applicant with a copy to the Ministry of Power.

The reply to the information sought is as under

Sr No	Question	Answers
1	Please inform year wise loan amount and grant amount received by TSECL from Power Finance Corporation Ltd., (PFC) since financial year 2004-2005 to till date.	
2	Please also inform year wise repayment amount paid by TSECL against the loan and grant received from Power Finance Corporation Ltd., (PFC) Please mention both Principle amount and interest portion.	The information sought pertains to Power Finance Corporation (PFC) and therefore may be treated as NIL.
3	Please also mention the name of the scheme under which loan and grant was provided to TSECL by Power Finance Corporation Ltd., (PFC) since year 2004-2005 to till date.	
4	Please inform year wise loan amount and grant amount received by TSECL from Rural Electrification Corporation Ltd., (REC) since financial year 2004-2005 to till date.	No loan was sanctioned to M/s. TSECL by REC and hence the information may be treated as NIL.
5	Please also inform year wise repayment amount paid by TSECL against the loan and grant received from Rural Electrification Corporation Ltd., (REC) Please mention both Principle amount and interest portion.	The information may be treated as NIL as no loan was sanctioned to TSECL.
6	Please also mention the name of the scheme under which loan and grant was provided to TSECL by Rural Electrification Corporation Ltd., (REC) since year 2004-2005 to till date.	
7	Please inform year wise loan amount and grant amount received by TSECL from Government of India except PFC and REC since financial year 2004-2005 to till date.	The information sought pertains to Government of India and therefore may be treated as NIL.
8	Please also inform year wise repayment amount paid by TSECL against the loan and grant received from Government of India except PFC and REC please mention both principal amount and interest portion.	

