

**OFFICE OF THE FIRST APPELLATE AUTHORITY
FILM AND TELEVISION INSTITUTE OF INDIA
LAW COLLEGE ROAD, PUNE – 411 004
Tel. 020-25580006 (O)**

No.FTII/RTI/FAA/2(11)/2022

Date : 30.11.2022

IN THE MATTER OF : I.D. NO.89

FATIP/A/E/22/00023

Shri K. Jagadeeswaran

Appellant

V/s

CPIO/ Administrative Officer

Respondent

FTII, Pune

ORDER

Date of RTI Application	– 14.09.2022
Date of RTI Reply	- 07.10.2022
Date of RTI Appeal	- 18.10.2022

1. This order shall dispose of the appeal filed by Shri K. Jagadeeswaran in respect of ID No.89.
2. The appellant in his Original RTI application dated 14.09.2022 had sought following information:
 - (i) With reference to the Inquiry under Rule 14 of CCS (CCA) Rules, 1965 against Shri K. Jagadeeswaran, Assistant Professor Cinematography, FTII, Pune and an unauthorised reply from the company called Solution service email ID solutionsforallservices@gmail.com Dt.10.07.2022. FTII Reference: i) Order No.C-31011/1/2019-Estt. Part-II dated 11.03.2021. ii). Charge Memo No.C-31011/1/2019-Est. dated 02.02.2021 During the above-said ongoing official inquiry proceedings against me at FTII, Pune, I received an unauthorised reply from the company called Solution service email ID solutionsforallservices@gmail.com Dt.10.07.2022 and CC to Presenting Officer Shri Vaibhav Gham. Further, I informed FTII officials through my E-mail Dt:2Aug 2022, about the same for the safety and security of the official information and cyber security. However, I did not receive any reply from the FTII authorities. Even though I sent a reminder on 8 Aug 2022, I did not receive any reply from the FTII authorities like Director/disciplinary authority, Registrar, Chief Accounts Officer, Administrative Officer and Presenting Officer.



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- (ii) Request for Permission to file verification, official noting, correspondence with the company called Solution service email ID solutionsforallservices@gmail.com Kindly furnish attested photocopies on the following specific points:
- 1) With regards to the reply /correspondence received from the OWNER of the Solution service email ID solutionsforallservices@gmail.com
 - 2) Kindly provide me the said Email ID OWNER details like NAME, Address, Contact/Mobile Number and etc. with documentary evidence.
 - 3) Kindly permit me to file verification, emails sent and replies received and other communications with the said Email ID and FTII and to take notes and to have additional photocopies if required.
 - 4) In case the said Email ID OWNER has submitted any documentary evidence to claim his ownership over the said GMail ID, please provide me attested photocopy of the same.
 - 5) Kindly provide me the authorisation letter if any granted by FTII authorities to the Solution service email ID solutionsforallservices@gmail.com to send reply to me in the ongoing official inquiry proceedings against me at FTII, Pune
 - 6) Kindly provide me a copy of the order /agreement on any kind of appointment/contract made between FTII authorities and OWNER of the Solution service email ID solutionsforallservices@gmail.com to involve their services in FTII official matters.
 - 7) Kindly provide me the information about the above-said ongoing official inquiry proceedings against me at FTII, Pune is Confidential or Not.
 - 8) Kindly provide the FTII-approved official Email ID and contact details of Inquiry Officer Shri Pradeep Kumar Khullar in the above-said inquiry proceeding against me.



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- 9) Kindly provide me the information on any kind of contacts between the Solution service email ID solutionsforallservices@gmail.com and FTII authorities like Director/disciplinary authorities.

3. The Appellant has made the present appeal as per the provision under section 19 (1) of the RTI Act.

The PIO Shri S.K. Dekate has refused to access the information requested by him, stating the rule under section 8(1)(h) of the RTI Act.

The RTI Act also mentions that the requested information may be denied as per the said Act, "Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person"

The reply received from the PIO is not satisfactory, because the requested information is needed to prove his innocence against the alleged allegations against him in the on going 22 months long suspension and inquiry proceeding against him. The requested information is needed to prove that the inquiry officer is bias and need to be submitted in the Court of law.

Further it in the interest of public and it is related to the safety and security of the information shared through e-communication in an official inquiry proceeding against him. It is pertinent to mention that larger public interest warrants the disclosure of the requested information. Hence The said Solution Services company owner details and other requested information may kindly be furnished to him.

The PIO also denied his right of section 2(j) of the RTI Act to inspect the documents, records and take notes etc. which he has mentioned in his original RTI application. Further, the PIO is malafidely denied his requested information. The PIO is punishable under the RTI Act.

The PIO is hiding and suppressing the information requested from him. And the PIO has the habit of giving incorrect information on several occasions in the past.

Since the requested information is needed to prove his innocence against the alleged charges against him as mentioned in the charge sheet issued to him by FTII Disciplinary authority and the requested information cannot be denied to the Parliament or a State Legislature shall not be denied to any person, it is



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requested to the First Appellate Authority Shri. Sayyid Rabeehashmi. may kindly look into the matter and take suitable action against the PIO and to deliver the requested information to him.

4. Since the above information is indeed part of disciplinary proceedings and cannot be provided to the appellant, the PIO's invocation of matter pertaining to the disciplinary proceedings and hence the information cannot be provided under Section 8(1)(h) of the RTI Act, 2005, stands.

The appeal is therefore disposed of.

If you are not satisfied with the information provided, you may file an appeal before **Central Information Commission, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110 066** within the stipulated time.

Sd/-
(Sayyid Rabeehashmi)
Registrar
First Appellate Authority

Shri K. Jagadeeswaran
D-8, Flat 602,
Sundar Sahawas Phase 2,
Sinhagad Road, Anand Nagar,
Pune – 411 051.

Copy to :

1. CPIO/ Administrative Officer, FTII.
2. In-charge Multi Media, FTII with a request to upload the order on the FTII website.

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30/11/2024
(Sayyid Rabeehashmi)
Registrar
First Appellate Authority