



Dedicated Freight Corridor Corporation of India Ltd.

(A Government of India Enterprises)

5th Floor, Pragati Maidan, Metro Station Building Complex, New Delhi- 110001
Corporate Identity Number U60232DL2006GOI155068 Web:

www.dfccil.gov.in

No.2016/HQ/Admin/RTI-367

Shri Rajendra Kumar Jain,
24, North Vijay Nagar Colony,
Distt: Agra,
Uttar Pradesh-282 004.
(Mobile # 8449-300-092)



Dear Appellant,

Sub:	सूचना के अधिकार अधिनियम 2005 के अंतर्गत सूचना सुलभ कराना। Providing information under the RTI Act 2005
Ref:	1. Your original RTI application dt 26.01.17 received on 06.02.17 replied on 19.04.17. 2. Your (Reminder) 1 st Appeal letter dt 23.04.17 received on 05.06.17 in this office (no appeal prior to this was received in DFCCIL). 3. Your another email letter dt 18.07.17.

This office has examined your above-mentioned appeal and the reply to appeal is as follows:-

1. This office is given to understand that you were an employee of PMC at Tundla office. It is not understood why you have demanded information from Railway Board which is always available with PMC where you were working. This shows your negligent attitude towards the information and it seems that you wish to mislead the organization without seeking information from appropriate organization.
2. In your appeal, you have mentioned in most of the paras that the information is created by Shri Tejpal Chawla, PIO. In this connection, it may please be noted that Sh. Tejpal Chawla, PIO has furnished you the information based on the inputs received from the concerned office of DFCCIL only.
3. You have alleged the organization by using outrageous words like 'information created by CPIO or misleading which is not a good official practice'. You also seem to have intentionally alleged CPIO for carrying out duties in very irresponsible manner and requested administrative action against CPIO which shows that you are least concerned with information provided to you but only interested in prolonging the issues and alleging the organisation.
4. You have challenged the authority of CPIO/DFCCIL that PIO has no authority to direct an applicant (in this case yourself, Sh. R.K. Jain) to visit Public authority which is contrary to RTI act provisions. In fact, this is a amicable provision under **2(j)(i) (Inspection of Work, Documents, Records) of RTI Act, 2005** between the Applicant and the Public Authority whereby the applicant can go and inspect the documents for obtaining the information. Accordingly, a prior communication and agreement are always needed between the two parties to seek convenience of both and to serve the purpose.
5. CPIO has been repeatedly requesting you to visit the place of information at source. Previously also, you were asked to visit DFCCIL office at Agra but you have not turned up though your are a resident of Agra. Again you have been advised to visit the PMC Tundla office for information but you have not turned up and sent the subject appeal against RTI reply. This shows that as an appellant you are not interested in getting the information. As per the RTI Act provisions, you, the appellant, are once again requested to visit PMC office or DFCCIL office on a pre-defined date and time for collecting information as demanded/sought by you, if you are not in agreement with the reply given.
6. No appeal of yours dated 06.04.2017 is received in this office.

7. Following are the para-wise reply of appeal letter :-

S.N.	Information sought	Information provided	Comment by appellant on information	Reply from CPM/ TDL unit
1	List of design /drawings and which were delayed in clearing by PMC.	All the matter is mentioned in Monthly Progress Report of M/s Tata Aldesa JV and Monthly Progress report	> Information has been created by Shri Tejpal Chawla PIO. > Information is given by Shri	From it is evident that as an appellant you are not interested in getting the information at information source i.e.

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		of PMC which are voluminous data. No particular list of delayed design is maintained in this office. Applicant is requested to visit to PMC office at Tundla on pre decided date and time to view the records available with PMC to get the desired information.	Tejpal Chawla PIO is misleading. ➤ Shri Tejpal Chawla, PIO has no authority to direct appellant to visit such office which is not a public authority.	PMC office. Infact, data is voluminous as informed; as applicant you are once again requested to visit PMC office for information on pre-decided date and time to view the records available with PMC to get the desired information.
2	Copies of letters /MOM in which delayed in clearing design /drawings by PMC were communicated to PMC.	PMC as Engineer review the contract. MOM maintaince is the duty of PMC. PMC is maintaining the record and there is no particular file in in which letters / MOM is maintained for delayed design record at CPM/ TDL/ DFCCIL office. Applicant is requested to visit to PMC office at Tundla on pre decided date and time to view the records available with PMC to get the desired information. Moreover one of the letter regarding this is enclosed as Annexure A. (letter No TDL/EN/SAI- Cons/PMC/296(A) -09/05 dated 08/09/2015) for information please. Moreover the letter was already forwarded to PMC for providing information which will be communicated soon after receipt of same.	➤ Information has been creted by Shri Tejpal Chawla PIO. ➤ Information is given by Shri Tejpal Chawla PIO, is misleading ➤ Shri Tejpal Chawla letter dt. 8-9-2015 which regarding source approval and not regarding design and drawings. ➤ Shri Tejpal Chawla, PIO has no authority to direct appellant to visit such office which is not a public authority. ➤ Shri Tejpal Chawla, PIO has mentioned that letter was forwarded to PMC for providing the information. Such statement of Shri Tejpal Chawla , PIO is false and also indicate that sought information is still pending.	Information available was already provided. As applicant, you are once again requested to visit PMC office for information on pre-decided date and time to view the records available with PMC to get the desired information.
3	Copies of letters which were written to PMC for deployment of additional manpower from their Head Quarter.	Applicant is requested to inform about the specific information mentioining about the deployment of additional manpower under which category required from their head quarter so that information can be provided.	➤ Information has been crated by Shri Tejpal Chawla PIO. ➤ Information is given by Shri Tejpal Chawla PIO, is misleading. ➤ Information sought in appellant's RTI application is very clear. Please Refer Para-05 of letter dt. 13.-3-2016 of DFCC which was attached with RTI application. ➤ It is very much clear that sought information is still pending.	As per contract agreement there are many categories available. Applicant is requested to clearly inform about the category as he was ex-employee of PMC so that information can be provided at the earliest, or else applicant is once again requested to visit PMC office for information on pre-decided date and time to view the records available with PMC to get the desired information.
4	List of design /drawings which	DFCCIL is not maintaining any such record.	➤ Information has been created by Shri Tejpal	DFCCIL is not maintaining any such

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	were not reviewed timely by Shri R.K. Jain, Sr. Bridge design Engineer	Applicant is consultant of PMC. Letter was already forwarded to PMC for providing information which will be communicated soon after receipt of same.	Chawla PIO. ➤ It is very much clear that sought information is still pending.	record. Applicant is once again requested to visit PMC office for information on pre-decided date and time to view the records available with PMC to get the desired information.
5	How much delay in target completion date of project was assessed as on dt. 13-02-2016 by DFCCIL due to delay in review and clearing design /drawings by Shri R.K. Jain, Sr. bridge Design Engineer.	No such record is maintained in this office. Applicant is consultant of PMC. Letter was already forwarded to PMC for providing information which will be communicated soon after receipt of same.	➤ Information has been created by Shri Tejpal Chawla PIO. ➤ It is very much clear that sought information is still pending.	No such record is maintained in CPM/ TDL office. As Sh R.K. Jain was consultant of M/s SAI- TYPASA JV., record of work of Sh R.K.Jain might be maintained by M/s SAI –TYPASA JV. But till date no information was given by M/s SAI-Typsa JV (PMC). Applicant is once again requested to visit PMC office for information on pre decided date and time to view the records available with PMC to get the desired information.
6	How much financial loss was assessed on project as on dt. 13-02-2016 by DFCCIL due to delay in review and clearing design / drawings by Shri R.K. Jain, Sr. Bridge Design Engineer.	No such record is maintained in this office. Applicant is consultant of PMC. Letter was already forwarded to PMC for providing information which will be communicated soon after receipt of same.	➤ Information has been created by Shri Tejpal Chawla PIO. ➤ It is very much clear that sought information is still pending.	No such record is maintained in CPM/TDL office. As you were a consultant to M/s SAI-TYPASA JV., your record of work may be maintained by M/s SAI –TYPASA JV. But till date no information was given by M/s SAI-Typsa JV (PMC). As applicant, you are once again requested to visit PMC office for information on pre decided date and time to view the records available with PMC to get the desired information.
7	As per DFCCIL letter No. TDL/EN/SAI-cons./PMC /296 (A)-02/11 on dated 13-02-2016 Shri R.k. Jain, Sr. Bridge Design Engineer was responsible for delay in target completion date and financial loss on project due to delay in review and clearing design /drawings by R.K.	Sh R.K.Jain works under administral control of PMC (M/s SAI –Typsa JV), DFCCIL has no information about the action taken by PMC to recover the delay in target completion date and financial loss on project due to delay in review and clearing	➤ Information has been created by Shri Tejpal Chawla PIO. ➤ Information is given by Shri Tejpal Chawla PIO, is misleading. ➤ It is very much clear that sought information is still	Information already provided which is reproduced as follows :- "Sh R.K.Jain works under administral control of PMC (M/s SAI –Typsa JV), DFCCIL has no information about the action taken by PMC to recover the delay in

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	Jain, Sr. Bridge Design Engineer. The action that was taken against Shri R.K. Jain to recover the losses on project.	design /drawings by R.K. Jain, Sr. Bridge Design Engineer.	pending.	<i>target completion date and financial loss on project due to delay in review and clearing design /drawings by R.K. Jain, Sr. Bridge Design Engineer."</i>
8	List of design and drawings pending for review with PMC as on date 26-01-2017 and delayed by PMC as on date 26-01-2017.	All the matter is mentioned in Monthly Progress Report of M/s Tata Aldesa JV and Monthly Progress report of PMC which are voluminous data. No particular list of delayed design is maintained in this office. Letter was already forwarded to PMC for providing information which will be communicated soon after receipt of same. Applicant is requested to visit to PMC office at Tundla on pre decided date and time to view the records available with PMC to get the desired information.	<ul style="list-style-type: none"> ➤ Information has been created by Shri Tejpal Chawla PIO. ➤ Information is given by shri Tejpal Chawla PIO, is misleading. ➤ Shri Tejpal Chawla, PIO has no authority to direct appellant to visit such office which is not a public authority. ➤ Shri Tejpal Chawla ,PIO has mentioned that letter was forwarded to PMC for providing the information. Such statements of Shri Tejpal Chawla, PIO is false and also indicate that sought information is still pending. 	No information recived from PMC. As applicant, you are once again requested to visit to PMC office at Tundla on pre-decided date and time to view the records available with PMC to get the desired information.
9	How much delay in target completion date of project has been assessed as on dt. 26-01-2017 by DFCCIL due to delay in review and clearing design /drawings by PMC.	PMC as Engineer review the contract. Record maintaince is the duty of PMC. All the matter is mentioned in Monthly Progress Report of M/s Tata Aldesa JV and Monthly Progress report of PMC which are voluminous data. No particular list of delayed design is maintained in this office. Applicant is requested to visit to PMC office at Tundla on pre decided date and time to view the records available with PMC to get the desired information.	<ul style="list-style-type: none"> ➤ Information has been created by Shri Tejpal Chawla PIO. ➤ Information is given by Shri Tejpal Chawla PIO. Is misleading. ➤ Shri Tejpal Chawla, PIO has no authority to direct appellant to visit such office which is not a public authority. ➤ that sought information is still pending. 	Information already provided. As applicant, you are once again requested to visit PMC office at Tundla on pre-decided date and time to view the records available with PMC to get the desired information.
10	How much financial loss was assessed on project as on dt. 26-01-2017 by DFCCIL due to delay in review	No such record is maintained in this office	<ul style="list-style-type: none"> ➤ Information has been created by Shri Tejpal Chawla PIO. ➤ Information is given by Shri Tejpal Chawla PIO, is misleading. ➤ Shri Tejpal Chawla, PIO has 	No such record is maintained in this office. As applicant, you are once again requested to visit PMC office for information on pre-

S.N.	Information sought	Information provided	Comment by appellant on information	Reply from CPM/ TDL unit
	and clearing design /drawings by PMC.		no authority to direct appellant to visit such office which is not a public authority. ➤ that sought information is still pending.	decided date and time to view the records available with PMC to get the desired information.
11	Total amount of consultancy fee was paid to PMC on account of services provided by Shri R.k. Jain, Sr. Bridge Design Engineer from dt. 22-12-2014 to 23-02-2016.	No particular fees are paid for only one consultant i.e Sh R.K.Jain, Sr Bridge Design engineer. Payment was made according to reimbursement fixed in the applicable contract of PMC for different categories i.e A, B, C, D, E & F of PMC.	➤ Information has been created by Shri Tejpal Chawla PIO. ➤ Information is given by shri Tejpal Chawla PIO. Is misleading. ➤ Fee was paid to PMC by DFCCIL on the basis of man months input provided by Shri R.K Jain Sr. Bridge Design Engineer. Hence Shri Tejpal Chawla PIO has provided false information. ➤ Remuneration is fixed per month and paid to PMC on the basis of input of man months of individual staff. Hence Shri Tejpal Chawla PIO has provided false information. ➤ That sought information is still pending.	Information was already provided. Sh R.K.Jain was ex-consultant of PMC which is reproduced as follows :- <i>No particular fees are paid for only one consultant i.e Sh R.K.Jain, Sr Bridge Design engineer.</i> <i>Payment was made according to reimbursement fixed in the applicable contract of PMC for different categories i.e A, B, C, D, E & F of PMC.</i>
12	Copies of letter vide which approval was granted for my services as senior bridge / Structural Design Engineer on above project in PMC (SAI Consulting Engineers Pvt. Ltd.) office, Tundla by DFCCIL.	Information was already provided by this office RTI reply Letter no TDL/EN/RTI/212(A) date 23.03.2016 and appeal letter reply TDL/EN/RTI/212(A) dated 12.05.2016 and TDL/EN/RTI/212(A) dated 28.05.2016 Letter enclosed as Annexure B.	➤ Information has been created by Shri Tejpal Chawla PIO. ➤ Information is given by shri Tejpal Chawla PIO. Is misleading. ➤ Annexure –B is copy of letter written by CPM, Agra to DGM/PIO, DFCCIL, Delhi and this document is not a approval letter. Hence Shri Tejpal Chawla PIO has provided false information. ➤ That sought information is still pending.	Information already provided and applicant has already received the information through previous RTIs whose reference was given. Applicant is once again requested to visit PMC office for information on pre-decided date and time to view the records available with PMC to get the desired information.

With this, your appeal is disposed of.

सतीश
14/08/2017
(सतीश कोठारी)
(Satish Kothari)

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