

File No. MoES/29/101/2012-RTI
Government of India
Ministry of Earth Sciences

By Speed Post

Prithvi Bhawan, IMD Campus,
Lodhi Road, New Delhi
Dated – 4th December, 2012.

To,

Shri Debkumar Mondal,
C/o Ranjan Kumar Mondal,
Village & P.O. – Radhanagar,
P.S-Namkhana, Dist-South
24 Pgs, West Bengal,
Pin-743357.

Subject:-Appeal under RTI Act 2005 by Shri Debkumar Mondal, C/o Ranjan Kumar Mondal,
Village & P.O. – Radhanagar, P.S-Namkhana, Dist-South 24 Pgs, West Bengal, Pin-
743357.

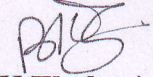
Sir,

Kindly refer to First Appellate's Authority O.M. of even number dated 27/11/2012 and
your appeal dated 23/11/2012 (received in this Ministry on 27/11/2012) (Annex-I) under RTI
Act on the above mention subject.

2. The necessary information has already been sent for your RTI application on 27/9/2012.

Encl:-As above.

Yours faithfully



(B.K.Thakur)
CPIO & Sc 'B'

Tel. No. 01124669535

Copy for information to:-

1. Director (ICC), MoES, New Delhi.
2. Dr. M. Sudhakar, Transparency Officer, MoES, New Delhi.
3. PPS to JS, MoES, New Delhi.
4. In charge IT (Shri Krishnan) to upload the reply on web.

Government of India
Ministry of Earth Sciences

Prithvi Bhavan,
Lodhi Road, New Delhi.
Dated the 27.11.12

No. MoES/29/101/2012-RTI

Subject: Appeal under RTI Act 2005 by Shri Debkumar Mondal, C/o Ranjan Kumar Mondal, Village & P.O. – Radhanagar, P.S. – Namkhana, Dist – South 24 Pgs, West Bengal, Pin – 743 357

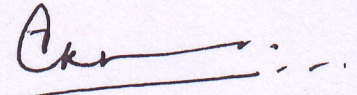
Sir,

Please find enclosed an appeal dated 23.11.2012 (Received on 27.11.2012) (Annexure-I) filed by Shri Debkumar Mondal, C/o Ranjan Kumar Mondal, Village & P.O. – Radhanagar, P.S. – Namkhana, Dist – South 24 Pgs, West Bengal, Pin – 743 357 under RTI Act, 2005.

2. The appellant in his appeal has mentioned that information for his RTI application dated 27.9.2012 has not been provided to him.

3. Kindly provide comment on the same to the undersigned by 21.12.2012 so as to decide upon the appeal.

Encl: Annexure – I (As above).



(Taranjit Singh)

First Appellate Authority under RTI Act 2005 and
Director (ICC), MoES

To

Shri B.K. Thakur
CPIO & Scientist – B
MoES
New Delhi.

Copy for information to :

- 1) Shri Debkumar Mondal, C/o Ranjan Kumar Mondal, Village & P.O. – Radhanagar, P.S. – Namkhana, Dist – South 24 Pgs, West Bengal, Pin – 743 357 **(By Speed Post/Registered Post)**
- 2) Secretary, MoES
- 3) JS (MoES)
- 4) RTI Cell of MoES for maintaining record
- 5) Transparency Officer (Dr. M. Sudhakar), MoES
- 6) Office Copy

As prescribed under section 19(1) of Right To Information Act 2005

First Appeal before

Shri Taranjit Singh

Appellate Authority & Director (ICC), Ministry of Earth Sciences,
Prithvi Bhawan, IMD Complex, Lodi Road, New Delhi- 110003

Total Number of Pages Including Annexure : 7

November 23, 2012

1) Appellant Details

a. Name : Debkumar Mondal
b. Address : C/O- Ranjan Kumar Mondal
Vill + P.O.- Radhanagar, P.S.- Namkhana
Dist. - South 24 Pgs, Pin- 743357
Email: fightfortransparency@gmail.com

2) CPIO Details

a. Name : B. K. Thakur
b. Designation : CPIO & Scientist 'B'
c. Office Address : Prithvi Bhawan, IMD Complex,
Lodi Road, New Delhi- 11

3) Reasons for First Appeal

No response (deemed refusal of Information u/s 7(2) of the RTI Act)

4) Chronological Order of Events

a. RTI Application submitted on : 27-September-2012 (through post office)
b. Reply of CPIO received on :
c. First Appeal filed on : 23-November-2012

5) It is requested that this appeal be heard by AUDIO CONFERENCE. It is also requested to allow my representative to attend the audio conference, if necessary.

6) Particulars of RTI Application

a. Post Office where RTI application was submitted: Tollygunge Head P.O.,
Kolkata - 700033
b. Fee Details : IPO No. 01F 493662
c. Enclosed is the Copy of RTI Application in ANNEXURE - A

7) Particulars of CPIO's Reply

a. Letter No. :
b. Received by :

8) Grounds of Appeal

CPIO denied to provide the information, and therefore AGGRIVED.

Handwritten notes:
27/11/12
CPIO

9) Relief Sought

- a. Instruct the CPIO, in writing, to give complete information as requested in my above mentioned RTI Application.
- b. Now that the rest of the information will be provided after the mandated 30 days time period it should be "free of charge" as per sec 7(6) of the RTI Act.
- c. Issue a written warning to the CPIO, under the present Rules and Regulations of Service, instructing him that he should adhere to the time limits specified in the RTI Act 2005 as well as respect the RTI Act in its letter and spirit.
- d. Recommend training to CPIO as per Section 19(8)(a)(v) of the RTI Act.
- e. Inform the concerned CPIO that the appellant will move a Second Appeal before the CIC under Section 19(3) and will demand imposition of Penalty under Section 20 of the RTI Act, at the rate of Rs. 250.00 for every day of delay (subject to a maximum of Rs. 25,000.00) from the date the information was due till the date the information is actually given to me.
- f. As per Sec 19(5) of the RTI Act 2005, during the appeal proceedings, the CPIO, should be asked to explain his ["deemed"] denial of request for information, since the onus to prove that the denial of request was justified, is on the CPIO.

10) Special Note

Your attention is drawn to the contents of the Office Memorandum No. 1/3/2008-IR, dated 25 April 2008, issued by DoPT, titled "**Guidelines for the Officers designated as First Appellate Authorities under the RTI Act 2005**", the relevant excerpts are quoted for your ready reference below:

38. Deciding appeals under the RTI Act is a quasi-judicial function. It is, therefore, necessary that the appellate authority should see to it that the justice is not only done but it should also appear to have been done. In order to do so, the order passed by the appellate authority should be a speaking order giving justification for the decision arrived at.

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40. If an appellate authority comes to a conclusion that the appellant should be supplied information in addition to what has been supplied to him by the CPIO, he may either (i) pass an order directing the CPIO to give such information to the appellant; or (ii) he himself may give information to the appellant while disposing off the appeal. In the first case the appellate authority should ensure that the information ordered by him to be supplied is supplied to the appellant immediately. It would, however, be better if the

appellate authority chooses the second course of action and he himself furnishes the information along with the order passed by him in the matter.

11) Verification by the Applicant

I hereby state that the information and particulars given above are true to the best of my knowledge and belief.

Signature of Appellant

Debkumar Mondal

(Debkumar Mondal) 23.11.2012

Copy TO:

- 1) CPIO
B. K. Thakur
Prithvi Bhawan, IMD Complex,
Opp. India Habitat Centre, Lodi Road,
New Delhi-110003

Enclosure:

1. ANNEXURE - A: Copy of RTI Application

By speed post

F.No. MoES/29/56/2012-RTI
Government of India
Ministry of Earth Sciences

Prithvi Bhawan, IMD Complex,
Opp. India Habitat Centre,
Lodhi Road, New Delhi.
Dated the, 27th June, 2012.

To

Shri Subham Dutta,
23, Russa Road, South 2nd Lane,
Kolkata- 700033
West Bengal

Sub:- Information sought by Shri Subham Dutta, 23, Russa Road, South 2nd Lane, Kolkata-700033, West Bengal under RTI Act. 2005.

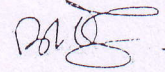
Sir,

Kindly refer to your application dated 02/05/2012 received under RTI Act, 2005 on the above mentioned subject.

2. The reply provided by the concerned officer vide their letter no. nil dated 27/6/2012 of the Ministry of Earth Sciences is enclosed for your information.
3. In case you are not satisfied, you may file an appeal within 30 days to the date of receipt of this letter to the appellate authority i.e. Shri Taranjit Singh, Director (ICC) Ministry of Earth Sciences, Prithvi Bhawan, IMD Complex, Lodhi Road, New Delhi-110003.

Encl. As above.

Yours faithfully,



(B. K. Thakur)

Central Public Information Officer & Sc. 'B'

Tel. No. 24669622

Copy for information to:-

1. Director (ICC) MoES, New Delhi.
2. Dr. M. Sudhakar, Transparency Officer, MoES, New Delhi.

Following are the replies of the queries raised by Mr. Subham Dutta to seek information under RTI Act 2005:-

1. There are 14 projects running under the research programme "Development of potential drugs from the Ocean" for the period of 5 yrs (April 2007-2012).
2. A project has been sanctioned to Prof. Jharna Ray of University of Calcutta under the research programme "Development of potential drug from the Ocean" for the period of 5 yrs (April 2007-2012).
 - a. After the retirement of Prof. B Mukherjee, Prof. Jharna Ray has been appointed as PI of the project by the Ministry of Earth Sciences, Govt. of India. The Ministry considered Prof. Jharna Ray as a qualified person to take the responsibility.
 - b. Prof. Jharna Ray has wide experience starting from Biochemistry, molecular biology, receptor ligand binding, gene therapy, etc. All these experiences are important for drug development from any biological sources and its application.
 - c. Money sanctioned initially was ₹. 295 lakhs, later it revised to ₹. 297 lakh.
 - d. Money sanctioned initially for instrument was ₹. 113 lakh; later it was revised to 117.60 lakh.
 - e. All instruments purchased from the released fund (₹. 23.95 lakhs) relates to drug development project.

All data provided to DOD/MoES has been done using instrument purchased from DOD/MoES project.
 - f. Since April 2007 at any particular time maximum number of scholars worked under the supervision of Prof. Jharna Ray was six.
 - g. Yes. The details of the Project are enclosed at Annexure-I.
 - h. Most of the proposed work done as expected with available resources. Some of the proposed works were not done completely due to lack of specific instruments, lack of availability of data from collaborations and also lack of funds, which destabilized the manpower. Besides, some of the project will not be completed since that relates to exploration.
 - i. Money spent by Prof. Jharna Ray and her group for Travel and Field related work from April 2007 to March 2011 was about ₹. 20 lakhs. No fund received in 2011-2012.

About 200 marine samples were collected from April 2007- December 2012.

To
Central Public Information Officer (CPIO),
Ministry of Earth Sciences,
Govt. of India,
Prithvi Bhavan, IMD Campus, Opp. India Habitat Centre,
Lodi Road, New Delhi - 110 003

Date- 27.09.2012

Subject: Application under Right to Information Act. 2005

Please provide the following information:

A project (from 2007, April to 2012, March) under the title "Chemical and Pharmacological Investigations of Indian Marine Poisonous Fishes" was sanctioned to Prof. Jharna Ray.

1. Please provide the name, address, contact number of the officials who considered Prof. Jharna Ray as a qualified person to take the responsibility of the above mentioned project after the retirement of Prof. B Mukherjee (Plz see the MoES letter No. MoES/29/56/2012-RTI).
2.
 - a) Please provide the period (in year and months) of experience of Prof. Jharna Ray in the scientific field related to oil/bioactive substances production from fish before 1st April, 2007. Please provide the details of publications of Prof. Jharna Ray in the scientific field related to oil/bioactive substances production from fish before 1st April, 2007.
 - b) Please provide the period (in year and months) of experience of Prof. Jharna Ray in the research area of Quality control of bioactive substances from natural sources before 1st April, 2007. Please provide the details of publications of Prof. Jharna Ray in the research area of Quality control of bioactive substances from natural sources before 1st April, 2007. Please provide the details of improvement of quality of fish oil during April, 2007 to March, 2011^y.
 - c) Please provide the period of experience of Prof. Jharna Ray in determination of structure of toxin or any chemical substances or biological molecule before 1st April, 2007. Please provide the details of publications (dealing with any of the common methods of structure determination such as, X ray diffraction, NMR, Mass spectroscopy etc.) of Prof. Jharna Ray in the area of structure determination before 1st April, 2007. Please mention whether TTX is purified or not.
 - d) Please provide the period of experience of Prof. Jharna Ray in the area of identification of bacteria and evaluation of antibacterial activities before 1st April, 2007. Please provide the details of publications of Prof. Jharna Ray in these areas before 1st April, 2007. Please provide the status of the proposed work "Characterization of antibacterial activities from the poisonous fish mucous covering the skin" (please give information as much as possible without sharing any real data).
 - e) Please provide the details of experience of Prof. Jharna Ray in taxonomical research and in marine biology research, aquatic biology research before 1st April, 2007.

