

OFFICE OF THE FIRST APPELLATE AUTHORITY
FILM AND TELEVISION INSTITUTE OF INDIA
LAW COLLEGE ROAD, PUNE – 411 004
Tel. 25433360 (O)

No.FTII/Reg/RTI/9/2019

Date : 04.11.2019

IN THE MATTER OF : I.D. NO.36

Shri Sanjay J. Chandekar

Appellant

V/s

PIO/Administrative Officer
FTII, Pune

Respondent

ORDER

Date of RTI Application – 05.07.2019

Date of RTI Reply - 22.08.2019

Date of RTI Appeal - 20.09.2019

Date of Hearing - 04.11.2019

This order shall dispose of the appeal filed by Shri Sanjay Chandekar in respect of I.D. No.36.

1. Shri Sanjay Chandekar, Appellant was present on 04.11.2019
2. Present Shri N.D. Mapari, representative of PIO/ Administrative Officer
3. The appellant vide his RTI application dated 05.07.2019 had sought information on the following:

Sr. No.	Information asked for by the Appellant	Reply/informati on given by PIO	Contentions of the Appellant before the First Appellate Authority	Order of First Appellate Authority
1.	On what guidelines the ICC was constituted at FTII. A copy may please be provided	As per Government Gazette dated 09.12.2013	The reply is furnished for the first half of the information. The copy is not provided even when asked. The same may pl be provided.	PIO is directed to provide a copy of Government Gazette on Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013 dated 9.12.2013 within 10 days without fees.

Sr. No.	Information asked for by the Appellant	Reply/information given by PIO	Contentions of the Appellant before the First Appellate Authority	Order of First Appellate Authority
2.	Kindly give the details of the names of the office bearers of all such ICCs at FTII since its inception	Copy enclosed 4 pages	<p>The given replies are insufficient, not accurate & not precise. It was asked for all such ICCs since its inception. The information is not accurately drafted or tabulated year wise or committee-wise.</p> <p>There are no papers mentioning the ICC under chairpersonship of Ms. Ketki pandit & Monal Aron. It is requested to provide all details & the missing information</p>	PIO is directed to furnish the information containing details of the names of the office bearer/members of all ICCs at FTII since inception, if available, sought by the Appellant, within 10 days.
3.	Who should be the chairperson or presiding officer of an ICC according to the guidelines ?	Yes	The so called reply is given only one word as "Yes". This is not a reply. Kindly furnish the information according to the question & reply in an appropriate & descriptive manner.	As per Section 4 (2) (a) of Government Gazette on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 dated 9.12.2013, "a Presiding Officer shall be a woman employed at a senior level at workplace from amongst the employees"

Sr. No.	Information asked for by the Appellant	Reply/information given by PIO	Contentions of the Appellant before the First Appellate Authority	Order of First Appellate Authority
4.	Whether the contractual employee can become a chairperson or Presiding officer of ICC ? & according to which guidelines or rules ?	Not Applicable	The reply given as "Not Applicable" is not satisfactory & it seems an attempt to avoid giving the appropriate reply	PIO is directed to provide a copy of Government Gazette on Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013 dated 9.12.2013 within 10 days without fees.
5.	How one's 'seniority' is defined as far as the post of presiding officer or chairperson is concerned.?	Not applicable	The reply given as "Not Applicable" is not satisfactory & it seems an attempt to avoid giving the appropriate reply	
6.	Minimum how many years of experience should be there for the chairperson or presiding officer of ICC at the employer's office ?	Not applicable	The reply given as "Not Applicable" is not satisfactory & it seems an attempt to avoid giving the appropriate reply It is requested to supply an appropriate information please.	
7.	Kindly provide the 'Roznama' of ICC proceedings i.e. the complete record & register of daily proceedings	Proceedings are in the form of Audio Recording and Transcript of the same are already attached with the report.	The above reply is not accurate as I was not provided any Audio Recording. I have received only the Transcript. Roznama is also not provided which should	PIO is directed to provide all the information asked for by the Appellant including Audio Recordings within 10 days without fees

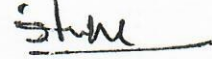
Sr. No.	Information asked for by the Appellant	Reply/information given by PIO	Contentions of the Appellant before the First Appellate Authority	Order of First Appellate Authority
	where all record regarding my (Sanjay Chandekar) case is maintained		contains the daily record of happenings of the ICC	
8.	All details of how many witnesses were called for the ICC hearing, names dates, each witness for how many times, their submission of papers to ICC along with the papers/ documents they submitted	All information is included in the proceedings.	<p>The reply given as "All information is included in the proceedings"- is insufficient.</p> <p>From the transcripts it is revealed that one reply given by sh. Ashwin Sonone is not attached in the report given by ICC. So kindly furnish the information pertaining to the question accurately. How many times & on what dates he was called by the ICC for hearing.</p>	PIO is directed to provide all the information specifying the details (including the reply given by Sh. Ashwin Sonone during the inquiry, if exists) as asked by the Appellant within 10 days without fees
9.	Inspection of all entries in the Registers/Diaries of respective above offices regarding my case & papers received in the Director's Office & Registrar's	Not Applicable	The reply given as "Not Applicable" is not satisfactory & it seems an attempt to avoid giving the appropriate reply or information and also not allowing to inspect the registers/diaries despite of a provision in RTI.	PIO is directed to facilitate inspection to the Appellant within 10 days.

Sr. No.	Information asked for by the Appellant	Reply/information given by PIO	Contentions of the Appellant before the First Appellate Authority	Order of First Appellate Authority
	office in a period December 2018 to June 2019 & in June 2018.		It is requested to do the needful.	
10.	What is the procedure to set up or provision by the ICC in case any respondent or complainant wants to go for cross-examination of the witnesses or other concerned ?	Upon request by either parties cross examination is allowed during enquiry. Respondent was asked if he had any questions for the Complainant. As per handbook, direct cross examination is not recommended.	The reply is given, however, it is mentioned as "Respondent was asked if he had any questions for the Complainant" As far as my knowledge & memory goes I was not asked if I had any questions for the Complainant. I have not given a copy of Audio Recording with the report even after a demand. I was asked if anything I want to ask for the committee.	PIO is directed to provide a copy of Government Gazette on Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013 dated 9.12.2013 within 10 days without fees

The appeal is therefore disposed of.

9. Ordered accordingly.

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.



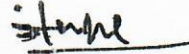
(G.M. Maske)
I/C Registrar
First Appellate Authority

✓
Shri Sanjay Chandekar
Telecine Engineer
FTII, Pune – 411 004

Copy to :

1. PIO/Administrative Officer, FTII, Pune

✓ 2. Incharge Multi-Media, FTII with a request to upload the order on the FTII website.



(G.M. Maske)
I/C Registrar
First Appellate Authority