**OFFICE OF THE FIRST APPELLATE AUTHORITY**
**FILM AND TELEVISION INSTITUTE OF INDIA**
**LAW COLLEGE ROAD, PUNE – 411 004**
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**No.FTII/RTI/FAA/4/2019** **Date : 26.04.2019**

**IN THE MATTER OF : I.D. NO.22**

**Shri K. Jagadeeswaran** **Appellant**

**V/s**

**PIO/Administrative Officer** **Respondent**
**FTII, Pune**

**O R D E R**

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|---|---|
| Date of RTI Application | – 30.01.2019 |
| Date of RTI Reply | - 26.02.2019 |
| Date of RTI Appeal | - 27.03.2019 |
| Date of Hearing | - 26.04.2019 |

This order shall dispose of the appeal filed by Shri K. Jagadeeswaran in respect of ID No.22.

1. Present Shri K. Jagadeeswaran, Appellant on 26.04.2019
2. Present Shri S.K. Dekate, PIO/ Administrative Officer
3. All present heard.
4. The information relates to the review petition filed in Hon'ble High Court of Bombay, wherein the appellant was a petitioner against Union Of India and others as respondents. The judgement order in said case was issued by Hon'ble High Court of Bombay on 17.12.2018.

**Contention of the Appellant**

The appellant in his RTI application dated 30.1.2019 had sought information on affidavit-in-reply filed by Director, FTII in the Hon'ble High Court in the aforementioned case. The appellant said that

(a) it is mentioned in the affidavit that it is filed on the basis of references and "some" office records and he is interested in "those" office records.

(b) it is mentioned in the affidavit that *"the contentions of the applicants that the alleged draft rules are approved in the Governing Council Meeting held on 21-03-1978 are absolutely incorrect. Further, these contentions are raised for the first time by way of review petition and it was not the case of applicant at the stage of hearing of Main petition."* The appellant said that he wants the record/references for taking this stand in the affidavit by FTII.

**Contention of the PIO**

The PIO stated that the information sought by the appellant is vague and not specific. He has not been able to pin point as to what information he wants. The PIO said that the instead of being specific ,appellant is making indirect references.

With regard to point (b) of the contention of appellant, the PIO stated that the appellant in the past on different occasions has sought copy of approved minutes of Governing Council Meeting dated 21-3-1978, which has been provided to him.

**Decision**

1. During the hearing, the appellant was asked to be specific in what information he wants to know. The appellant said that

> it is mentioned in the affidavit that *"the contentions of the applicants that the alleged draft rules are approved in the Governing Council Meeting held on 21-03-1978 are absolutely incorrect. Further, these contentions are raised for the first time by way of review petition and it was not the case of applicant at the stage of hearing of Main petition."* The appellant said that he wants the record/references for taking this stand in the affidavit by FTII.

2. It is important to note that the appellant was also a petitioner in the case, in which the affidavit was filed by FTII. A copy of the affidavit was served on the opposite party as per practice and all his contentions on the affidavit should have been raised before the Hon'ble Court. The Hon'ble Court had already considered and passed an order in the case on 17.12.18 which states -

> "....Firstly, in the aforequoted paragraph 27 of the order under review, it is stated that the Rules "appear" to be only draft Rules. Moreover, the contention that the Rules of 1977 were in force was not raised in the O.A. before the Central Administrative
>
> Tribunal (CAT) nor in the Writ Petition. In any event, the core issue raised in the Petition was whether the Petitioners, who were directly recruited to FTII post 01 October 1974 could claim parity with the Central Government Employees, who were earlier engaged in the department of Information and Broadcasting Ministry. The

Court went on to hold that there was no parity and confirmed the order of the CAT which was impugned in the Petition.

In the circumstances, we find no error apparent in the order under review. Even otherwise no case is made out to review the said order. The Review Petition is accordingly dismissed...."

3. The information mentioned in point 1 above relates to Governing Council meeting dated 21-03-1978. A copy of approved minutes of the said meeting to be provided to the appellant. As regards, the reference to *"..contentions being raised for the first time.."* mentioned in the affidavit, it is a matter of fact as being brought out by PIO in the hearing. The appellant being a petitioner in the case, already is aware of the replies/documents filed by both parties. Unless he pin points the specific information it cannot be made available to him.

The appeal is therefore disposed of.

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

Varun Bhardwaj 26/4/19

**( Varun Bhardwaj )**
**Registrar**
**First Appellate Authority**

**Shri K. Jagadeeswaran**
**Pune – 411 004**

Copy to :

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

Varun Bhardwaj 26/4/19

**( Varun Bhardwaj )**
**Registrar**
**First Appellate Authority**