

**BEFORE THE APPELLATE AUTHORITY CONSTITUTED BY THE BOARD  
UNDER THE PROVISIONS OF THE RIGHT TO INFORMATION ACT, 2005.**

**HEARING HELD ON 27/4/2007**

Shri Milind Kamble,  
Flat No.5, Surbhi Heights,  
Warje Naka, Pune-58.

.... Appellant

V/s

Shri A.A. Mokashi,  
Public Information Officer,  
Maharashtra Pollution Control Board,  
Sion, Mumbai-400 022.

... Respondent

**ORDER**

Shri Milind Kamble filed an Appeal against the information given by the Public Information Officer on the ground that the information is unsatisfactory and misleading. He was given an opportunity to explain his case on 27/4/2007. During discussion, he has informed that the information is not given in respect of the posts filled up on contractual basis, as to whether those posts are on the establishment of the Board or not. Shri S.K Purkar, Law Officer (I/C Establishment Branch, MPCB) informed that the posts are not newly created on the establishment of the Board. The advertisement was given in the newspapers like 'Loksatta' & 'Indian Express' dtd.23/2/2006 and the posts are filled up temporarily as per approval of the Member Secretary of the Board. The candidates from the Reserved Category are also appointed on contractual basis. Since, the posts are not sanctioned, the posts are not advertised as per Reservation Policy.

The Appellant asked information about vacant posts of the Sub-Regional Officer. Shri S.K. Purkar told that 6 posts are vacant, 2 posts are for ST category, one post for SC category and remaining posts are for General category. The Appellant also asked about G.R. giving additional charge in respect of the period. Shri Purkar informed that there is no specific G.R. for giving additional charge in respect of time limit. The additional charges are given as per available candidates and Board's convenience in that behalf. The charges are given at different times. While giving charges, it is not necessary to grant such charges as per Reservation Policy.

The Appellant asked the information about whether the court has directed the Board not to give charge to ex-cadre candidates. Shri Purkar informed that no such directions are received from the Court. The Appellant asked caste-wise seniority list of employees & officers. Since no such caste-wise seniority list is kept by the Board, the Appellant was apprised that he should not have asked for such type of seniority list. The Appellant stated that the information is asked to find out whether Reservation Policy is followed or not ?. He was satisfied in respect of the information given by the Board.

Since, all the information is already given by the Public Information Officer, the Appellant unnecessarily filed the Appeal and approached the print-media with false & baseless allegations, which is published in Daily ' Loksatta' dtd.10/4/2007, in spite of detailed point-wise information given to him vide letter dtd.27/11/2006 by the Public Information Officer, the Appeal is not tenable. Therefore, the Appeal is hereby rejected.

Dated this 30<sup>th</sup> day of April, 2007

Sd/-  
(D. T. Devale)  
Appellate Authority  
MPCB