



मंगलूर रिफाइनरी एण्ड पेट्रोकेमिकल्स लिमिटेड MANGALORE REFINERY AND PETROCHEMICALS LIMITED

(ऑयल एण्ड नेचुरल गैस कॉर्पोरेशन लिमिटेड की सहायक कंपनी) (A Subsidiary of Oil and Natural Gas Corporation Ltd)

कुत्तेचूर पोस्ट, वाया काटीपल्ला, मंगलूर Kuthethoor P.O., Via Katipalla, MANGALORE - 575 030

दूरभाष Ph : 0824-2270400, फैक्स Fax : 2270013, 2270028, 2270054

ई-मेल E-mail : mrplmlr@mrplindia.com Website : www.mrpl.co.in

"AN ISO 9001 AND 14001 CERTIFIED COMPANY"

By Registered Post A.D.

FIRST APPELLATE AUTHORITY

UNDER SECTION 19 (1) OF THE RIGHT TO INFORMATION ACT, 2005

Decision No.: 003 / 2010-11

Appeal No.: FAA / 003 / 2010-11

Oct' 05, 2010

Name of the Appellant : Shri Gayana M N, B.E, M.Tech
MNG House
Near Govt. P U College Sullia
D K District
Karnataka State
Pin 574 239

Name of the Public Authority : Mangalore Refinery and Petrochemicals Ltd.,
Kuthethoor Post,
Mangalore – 575 030.

The present appeal dated September 19, 2010 has been preferred by Shri Gayana M N, hereinafter referred to as the appellant, against the reply /decision bearing reference No. MRPL/HR/RTI/7/2010-11 dated September 06, 2010 of Shri Chandermani, CPIO, Mangalore Refinery and Petrochemicals Limited, Mangalore – 575 030.

Facts:

Shri Gayana M N, the applicant, vide application bearing reference No. Nil, dated August 03, 2009, received by CPIO on August 04, 2010, sought following information. Thereafter, the CPIO provided the following information on September 06, 2010.

The extract of original application made by the applicant, reply given by the CPIO and thereafter appeal preferred by the appellant are reproduced hereunder:

Sl. No	Query by the applicant	Reply by the CPIO	Appeal by the appellant
I	2	3	4
A	As per your RTI letter MRPL/HR/RTI/5/2010-11 dated 16 th July; annexure1, enclosure-6 (induction level qualification for Executives), you have mentioned the % marks only for M.Sc. Chemistry (min 65% marks), why? What about other qualification? Will you consider	The explanation and opinion, sought by you does not fall within the purview of information as per Section-2 sub-section (f) of the RTI Act,	For the question No.A CPIO not given proper detail.

	the other qualification with third class pass grade? Give detail.	2005, Hence is denied to be furnished.	
B	How may MSc. Chemistry (full time) post graduates were recruited since Inception of MRPL through i) Employment Exchange ii) Campus Recruitment iii) Direct recruitment (through advertisement/ other sources iv) Internal promotions/ selection/ selection v) Transfer on deputation from Government Departments or other Public Sector undertakings? What is their present grade? When did they join? (mention the date of joining)	i) Nil. Nil. Attached as Annexure- 1. Not relevant to the question. Not relevant to the question	For the question no. B, CPIO given wrong information.
C	Does MRPL is considering both the regular and part time M.Sc Chemistry (with 65% marks,) post graduates for same position? Are you recruiting both these qualifications for induction level for executive (management) cadre?	Yes.	This information has since been provided.
D	Give the details of time- bound/accelerated promotions issued to the MSc Chemistry (full time) postgraduates since January 2007. Which promotion policy/ stream has been followed to issue those time – bound/accelerated promotions?	Please find the reply in the attached Annexure-2. Promotion Policy for Management and Non-management staff is followed to issue Time-bound/accelerated promotions.	This information has since been provided.
E	Give the List (Their name and University which they studied) of MSc Chemistry (Full time) post graduates were recruited to MRPL since 1 st January 1995 to 2 nd August 2010?	This is personal information and is rejected under Section 8 (1) (j) of the RTI Act, 2005.	How the question No.E being rejected under Section 8(1) (j) of the RTI Act, 2005.
F	Give Job Portrayal of Quality Control Laboratory staff (give details of management and non- management staff separately). Mention the responsibilities of the management and non- management staff of Quality Control Laboratory in comparison with other refineries of India.	Details of Quality Control Management Staff is attached as Annexure 3A. Details of Quality Control Non-Management staff are available in Annexure 3B.	For the question No.F CPIO not given proper detail.
G	Give the present organogram of Management	These are	How the

	and non-management staff in MRPL (give detail Department wise).	confidential notes, which are held in fiduciary relationship. Therefore denied under Section 8 (1) (e) and Section 11 (1) of RTI Act, 2005.	question No.G being rejected under Section 8(1) (e) and Section 11 (1) of the RTI Act, 2005.
H	When did the last Pay Revision was made? Give details of management and non-management staff separately.	Last Pay Revision for Management Staff was done on 01.01.2007. Last Pay Revision for Non-management staff was done on 01.04.2007. Non-management staff pay revision is yet to be done. Details of Pay revision of Management Staff enclosed as Annexure 4.	This information has since been provided.
I	Give the present salary structure of management and non-management staff grade wise (Basic, DA, HRA and all the other benefits/ allowances etc.)	Details enclosed as Annexure 5	This information has since been provided.

Dissatisfied with the reply furnished by the CPIO, the appellant preferred the present appeal. The appellant in his appeal, interalia, stated that the CPIO failed to give part of the information sought by him. The appellant, therefore, requested that information sought by him be furnished to him. Views/Comments in respect of the appeal were called for from the CPIO.

DECISIONS: (Para wise)

- A. The appellant had raised the query regarding induction level qualification for executives, particularly M.Sc. - Chemistry (minimum 65% marks) and has questioned "why?". In this regard my decision as Appellate Authority of the company is that under the RTI Act 2005 this Public Authority is not under any obligation to give any justification nor express any opinion.

The remaining part of the question raised as "other qualification" is vague in nature. Therefore, the decision of the CPIO is upheld.

- B. The appellant had, vide this question requested for information pertaining to recruitment of M.Sc. Chemistry (full time) post graduates since inception of the company through Employment Exchange, Campus Recruitment, Direct recruitment (through advertisement/ other sources), Internal promotions/ selection, transfer on deputation from Government Departments or other Public Sector undertakings? He

further enquired their present grade and their date of joining. In this regard my decision as Appellate Authority of the company is that the RTI Act 2005 is not applicable to private organisations. Therefore, the CPIO was not under any compulsion to provide information pertaining to the period – from the inception of the company till January 05, 2005 i.e. the date till which the company was a private organisation. However, by providing complete information the CPIO has supplied the complete admissible information.

As regards the present grades and date of joining of the afore referred M.Sc. Chemistry full time post graduates, in my opinion the CPIO has provided complete information. Therefore, the decision of the CPIO is upheld.

- C This information has already been provided and no appeal has been preferred in this regard.
- D This information has already been provided and no appeal has been preferred in this regard.
- E The appellant had vide this question requested for personal details of those employees who have joined MRPL with M.Sc. Chemistry (full time) post graduate course, details such as their names, university from which they studied. This query has been refused by the CPIO on the ground that this is personal information and is rejected under Section 8 (1) (j) of the RTI Act, 2005.

In the above context, my decision as the Appellate Authority of the company is that the stand taken by the CPIO is correct and therefore the decision of the CPIO is upheld.

- F The appellant had vide this question requested for details of the Job Portrayal of Quality Control Laboratory staff (give details of Management and Non- management staff separately) and had also asked for details of the responsibilities of the Management and Non- management staff of Quality Control Laboratory in comparison with other refineries of India.

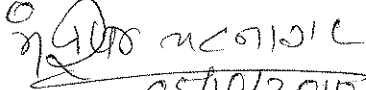
In the above context, my decision as the Appellate Authority of the company is that the information sought regarding 'job portrayal' has been provided by the CPIO. However, in respect of specific details of job responsibilities of the Management and Non-management staff of Quality Control Laboratory, it is confirmed that no such information is held by this Public Authority. Therefore, the decision of the CPIO is upheld. Similarly, a statement of responsibilities of staff of Quality Control Laboratory in comparison with other refineries of India is not held. Hence, the decision of the CPIO is upheld.

- G The appellant had, vide this question requested for the present organogram of Management and Non-management staff in MRPL seeking Department wise details. This information is held in fiduciary relationship and it is in the nature of commercial confidence which covers strategic deployment of manpower with the view to securing optimum capacity utilization. Disclosure of this information may harm the business interests of the company. Therefore, the decision of the CPIO is upheld.

- H This information has already been provided and no appeal has been preferred in this regard.
- I This information has already been provided and no appeal has been preferred in this regard.

The appeal is disposed of accordingly.

A copy of this order be forwarded to the Appellant and the CPIO.


05/10/2010

(Manjusha Bhatnagar)
General Manager (HR) / First Appellate Authority
Mangalore Refinery and Petrochemicals Limited
Mangalore – 575 030.
Telephone No. 0824 2219113

Copy forwarded to:

1. Shri Gayana M N, B.E, M.Tech
MNG House
Near Govt. P U College,
Sullia. D K District
Karnataka State
Pin 574 239
2. Shri Chandermani
CPIO,
Mangalore Refinery and Petrochemicals Limited.
Mangalore – 575 030.
3. IS Department, MRPL for uploading on RTI Link of MRPL Web-site.