

Dated 10-05-2020

**To,
Shri Amit Kumar,
PIO & Manager (Vig.),
Security Printing & Minting Corporation of India Ltd.,
16th Floor, Jawahar Vyapar Bhavan,
Janpath, New Delhi-110001.**

Subject: -Request for information under RTI Act 2005.

Sir,

I, **Dilip V. Gondnale** wish to seek information as under:-

2. Dy CVO SPMCIL had written a letter dated 4-10-2017 addressed to OFB (**Annexure-1**) which was forwarded to Mr Dilip V. Gondnale for comments.

As per Rules and as per various court pronouncements, the misconduct is defined as intentional violation of definite law with ill motive. on perusal of the above memo dated 4-10-2017 it is seen that Dy CVO has not mentioned any specific Rule of SPMCIL etc in entire memo, which he feels to have been allegedly violated.

Further it is submitted that Mr Dilip V. Gondnale joined on deputation on 6-3-2006 in DEA (**Annexure-2**) and he was repatriated back from SPMCIL to his cadre on 7-3-2011. In case of deputationists the borrowing department has no role in disciplinary matter once they are repatriated to cadre, vide Rule 20 and 21 of the CCS(CCA) Rules 1965, which deals with disciplinary matters in respect of officers on deputation to other departments. In this regard said Rule 20 and 21 which can be summarized as under:-

"No disciplinary action is possible against an officer after his deputation has come to an end. If some omission or commission on his part amounting to a misconduct comes to the notice of the authority who had borrowed his services after he had left, such authority may communicate the same to the authority who had lent his services, for such action as they latter authority may deem appropriate."

The above averments have also been confirmed through a number of pronouncements by different judicial authorities too.

Contrary to above statutory Rule, the Dy CVO, SPMCIL in his above cited letter dated 4-10-2017 has written that *"It is requested that the matter may be referred back to the undersigned after obtaining the explanation of Shri D.V. Gondnale, IOFS along with the comments of the Disciplinary*

Authority thereon, so as to seek First stage advice from the Central Vigilance Commission."

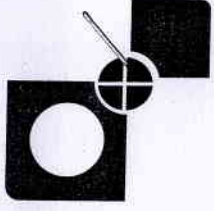
In view of the above facts kindly provide following information.

- 1. provide copy of the SPMCIL Rule which was alleged to have been violated in the above memo dated 4-10-2017.**
- 2. Please provide copy of the Rule under which CVO(i/c), SPMCIL was authorised to call the reply of Mr Dilip V. Gondnale, which is contrary to statutory Rule as explained above when Mr Dilip V. Gonsanle was reptariated long back on 7-3-2011.**

Yours faithfully

(Dilip V. Gondnale)





भारत प्रतिभूति मुद्रण तथा मुद्रा निर्माण निगम लिमिटेड

Security Printing and Minting Corporation of India Limited

मिनीरत्न श्रेणी-1, सीपीएसई
(भारत सरकार के पूर्ण स्वामित्वाधीन)

Miniratna Category-I, CPSE
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भा.प्र.मु.नि.नि.लि/सतर्कता/112/18(RTI)(खंड-II)/7558

दिनांक: 27/05/2020

सेवा मे,

Mr. Dilip V. Gondnale

विषय:- Right to Information Act -2005.

सन्दर्भ:- RTI of Mr. Dilip V. Gondnale vide Request No. SPMCO/R/E/20/00041 dated 11.05.2020

महोदय,

उपरोक्त संदर्भित आर.टी.आई आवेदन के संदर्भ मे सतर्कता विभाग के अभिलेख अनुसार निम्नलिखित जानकारी प्रस्तुत है:-

Information given:

S.No.	Query/ Information Requested	Reply
1.	Provide copy of the SPMCIL Rule which was alleged to have been violated in the above memo dated 4-10-2017.	The query is in the nature of seeking clarification/presumptive response from the PIO and the same do not construe 'Information' as defined U/s 2(f) of RTI Act, 2005.
2.	Please provide copy of the Rule under which CVO(i/c), SPMCIL was authorised to call the reply of Mr. Dilip V. Gondnale, which is contrary to statutory Rule as explained above when Mr. Dilip V. Gonsnale was repatriated long back on 7-3-2011.	The query is in the nature of seeking clarification/presumptive response from the PIO and the same do not construe 'Information' as defined U/s 2(f) of RTI Act, 2005.

In case you are not satisfied with the above reply, you may file an appeal to the Appellate Authority in SPMCIL within 30 days from the date of receipt of this letter. The name of

1. 27/05/2020

the Appellate Authority is **Shri Sunil Tiwari, Dy. Chief Vigilance Officer, SPMCIL,**
16th floor, Jawahar Vyapar Bhawan, Janpath, New Delhi – 110001.

भवदीय
डा. अमित कुमार
27/05/2020
(अमित कुमार)

पी आई ओ (सतर्कता)/ प्रबन्धक (सतर्कता)