

APPLICATION UNDER RIGHT TO INFORMATION ACT-2005 APPEAL-2

File No. CIC/SM/A/2012/001489

Subhash.S (Ex-Air Force)
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The Chief Information Commissioner
Central Information Commission
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August Kranti Bhavan
Bhikaji Cama Place
New Delhi - 110 066

23.5.2013

Sir,

The hearing for this case was held on 2.5.2013 by Hon. Chief Information Commissioner Shri. Satyananda Mishra. And an order has been passed.

On 15.5.2013 I have received a reply from CPIO, DD DTH division (Copy attached). The CPIO, AIR has not replied till date.

As it is clearly mentioned in Para 4 of the order of the Hon. CIC, The respondent (i) Ms. B.D.Mohanty, DDG (DTH) admitted that the information relating to the first 2 queries should have been provided by the then CPIO S.Sabarinathan DDG (DTH) since the matter pertained to that division. Ms. B.D.Mohanty admitted it when Hon. CIC expressed that he is very much annoyed in this case. But now Ms. B.D.Mohanty took a U-Turn and dared to give false informations. Admitting the TRUTH before the Hon. CIC during hearing and giving FALSE reply to the Appellant is to be viewed very seriously and this kind of behavior may endanger the very purpose of the RTI Act 2005.

The enticing advertisement about the DD Direct Plus DTH Service was telecasted in the DD National Channel, DD News Channel and DD State Channels such as DD Malayalam etc.

On 2.5.2013, in the video conference hall, Trivandrum, just before the hearing, I made a query to Shri. Subhash, Director, Doordarshan Kendra, Trivandrum about the method of creation of the advertisement, and he said it was created in Delhi and the Dubbing part in Malayalam language was done in DD Trivandrum.

Telecast of the enticing advertisement continued till the Regional TV Channels and Regional FM Radio Channels were withdrawn. Initially the Regional TV Channels were allowed free telecast in the DD Direct Plus Platform, and started charging 40 lakhs/year and increased it to 60 lakhs and 80 lakhs in the consecutive years. Then they made a sharp and exorbitant increase of 3.25 crores next year, this was beyond the capacity of the Regional TV Channels and they quit participating in the e-Auction process of Prasar Bharati.

I saw the enticing advertisement dubbed in Malayalam language in the DD Malayalam Channel. And the translation in English says “*DD Direct Plus DTH Service reaches your home directly, it is very clear, There are many DD Channels, also many Regional Channels and FM Radio Channels, all for a small initial expense, and there is absolutely no monthly charges*”

Now Ms. B.D.Mohanty, DDG (DTH) says DD-National has not given any enticing advertisement and therefore the date of withdrawal of the alleged enticing advertisement on DD-National does not arise. This statement is absolutely false and, why she said a contrary reply before the Hon. CIC during the hearing on 2.5.2013?

It is also mentioned in Para 4 of the order of the Hon. CIC that, we are not in a position to impose a penalty on the then CPIO as he has retired from service. But now the present CPIO has also committed the same mistake and afraid to provide the true information. So a penalty may be imposed on the CPIO Ms. B.D.Mohanty, DDG (DTH) for providing false information for my query No.1, after admitting the truth before the Hon. CIC during the hearing on 2.5.2013, and for challenging all the process and proceedings carried out with RTI Act 2005 starting from 12.4.2012 to 2.5.2013 upon my query No.2 with her reply “*Information is Nil; it may be indicated for information that under RTI Act seeking explanations and reasons from a public authority in the guise of soliciting information is not permissible*” If it is not permissible, why query No. 3 to 11 were answered by the then CPIO?

So it is humbly requested to direct the concerned CPIO to provide the true informations as soon as possible.

- Q1. The date of withdrawal of the enticing advertisement about the DD DTH Service from the DD Channels?
- Q2. The reason for withdrawing the enticing advertisement about the DD DTH Service from the DD Channels?
- Q12. The reason for withdrawing the regional Radio Channel Malayalam Classic from DD DTH?
- Q13. The reason for withdrawing the regional Radio Channel Malayalam 90's from DD DTH?
- Q14. The reason for withdrawing the regional Radio Channel Malayalam Latest from DD DTH?
- Q15. The reason for withdrawing the regional Radio Channel Tamil Classic from DD DTH?
- Q16. The reason for withdrawing the regional Radio Channel Tamil 90's from DD DTH?
- Q17. The reason for withdrawing the regional Radio Channel Tamil Latest from DD DTH?

Yours truly,



(Subhash.S)