



केन्द्रीय विद्यालय संगठन

शिक्षा मंत्रालय भारत सरकार के अधीन स्वायत्त संस्थान
KENDRIYA VIDYALAYA SANGATHAN
Under Ministry of Education, Govt. of India
मुख्यालय, नई दिल्ली/ Head Quarters, New Delhi
website: www.kvsangathan.nic.in
E-mail : jc.pers@kvs.gov.in
दूरभाष/ Tel : 91-11-26858565

18 संस्थागत क्षेत्र, शहीद जीत सिंह मार्ग, नई दिल्ली

18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi 110 016

F.No.11011/01/2017-KVS(HQ)/Admn.-II/ 105

Dated 11.11.2024

The Deputy Commissioner/Director
All Regional offices/ZIETs
Kendriya Vidyalaya Sangathan

Subject: - Providing/ uploading the information in the Public Domain as per Section 4(1) (b) of the RTI Act, 2005-reg.

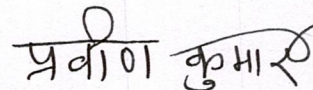
Madam/Sir,

With reference to this office letter of even no dated 19.10.2022 (copy enclosed) vide which it has been requested to upload the list of appointed Authorized Medical Attendant (AMA) on the website's of your Region/ZIETs as per the provisions of Section 4(1) (b) of the RTI Act, 2005 to ensure transparency, credibility objectivity and accountability in the functioning of the Public Authority. Further requested to issue directions to all the Principals of the KVs under your jurisdiction to upload the list of AMAs on the web-site of KVs which are appointed to the KVs employees.

You are requested to ensure that list of appointed AMAs have been uploaded on KVS Regional Offices/ZIETs web-sites and website of KVs.

This issues with the approval of competent authority.

Yours faithfully,


(PRAVIN KUMAR)

Assistant Commissioner (Admn)

Encl: as above



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18 संस्थागत क्षेत्र, शाहीद जीत सिंह मार्ग, नई दिल्ली/

F.11011/01/2017-KVS HQ [Admn.II] /69

18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi 110 016

दिनांक: 19.10.2022

Deputy Commissioner/Director
All Regional offices/ZIETs
Kendriya Vidyalaya Sangathan

E-mail / Speed Post

Subject:- Providing / uploading the information in the Public Domain as per Section 4(1)(b) of the RTI Act, 2005 – reg.

Madam/Sir,

With referece to the subject cited above, it is informed that in the recent case of hearing in Appeal No. CIC/KVSAN/A/2021/620647 dated 22.09.2022 (**copy enclosed**), the Central Information Commission (CIC) has observed that AMAs are appointed for health care of employees of KVS and the same is in larger public interest, therefore such information should be suo moto disclosed through the Kendriya Vidyalaya Sangathan's website as per Section 4(1)(b) of the RTI Act, 2005.

2. Therefore, in compliance of aforesaid CIC order dated 22.09.2022 you are requested to upload the list of Authorized Medical Attendance (AMA) appointed by KVS (HQ), Regional Offices and ZIETs on the website's of your Region/ZIETs as per provisions of Section 4(1)(b) of the RTI Act, 2005 to ensure transparency, credibility objectivity and accountability in the functioning of the Public Authority.

3. Further, it is also requested to issue necessary directions / instructions to all the Principals of the Kendriya Vidyalayas under your jurisdiction to upload the list of AMAs on the website of KVs which are appointed to the KVs employees.

This issues with the approval of competent authority.

Yours faithfully,

(Pushendra Kumar)

Assistant Commissioner (Admn.)

Copy to:-

1. Sh. B. S. Kasana, Deputy Registrar, CIC, Baba Gangnath Marg, Munirka, New Delhi - 110067, w.r.to. CIC Appeal No. CIC/KVSAN/A/2021/620647 for information.
2. Deputy Commissioner (Admn.)/CIC, KVS (HQ), New Delhi.
3. Assistant Commissioner (E-I & II, III), KVS (HQ) for necessary action.

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi - 110067

द्वितीय अपील संख्या/ Second Appeal No. CIC/KVSAN/A/2021/620647

In the matter of:

Vijender Saini

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO,
Kendriya Vidyalaya Sangathan,
18- Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

| | | |
|---------------------------------|---|------------|
| RTI Application filed on | : | 14.03.2021 |
| CPIO replied on | : | 07.04.2021 |
| First Appeal filed on | : | 17.04.2021 |
| First Appellate Authority order | : | 03.05.2021 |
| Second Appeal received on | : | 29.05.2021 |
| Date of Hearing | : | 21.09.2022 |

The following were present:

Appellant: Shri. Vijender Saini, participated in the hearing in person

Respondent: Shri. Pushpendra Kumar, CPIO & Assistant Commissioner, Kendriya Vidyalaya Sangathan-New Delhi, participated in the hearing in person

ORDER**Information sought:**

The Appellant filed an online RTI Application dated 14.03.2021 seeking information as under:

"Please provide the certified list of AMAs appointed by KVS HQ, KVS Regional Office and KVs as per CS(MA) rules."

Shri Pushpendra Kumar, Assistant Commissioner (Admin.) & Public Information Officer, Kendriya Vidyalaya Sangathan, New Delhi vide letter dated 07.04.2021, informed to the Appellant as under:

सूचना का अधिकार अधिनियम - 2005 के अंतर्गत, आपका आवेदन पत्र RTI Registration No. KENVSR/E/21/00859 के तहत इस कार्यालय को प्राप्त हुआ है, जिसके अंतर्गत चाही गई सूचना निम्नानुसार है-

| क्र.सं. | चाही गई सूचना | उपलब्ध कराई जाने वाली प्रस्तावित सूचना |
|---------|---|--|
| 1. | Please provide the certified list of AMAs appointed by KVS(HQ), KVS (Regional Office) and KV's as per CS(MA) Rules. | सूचना के अधिकार 2005 की धारा 7(2) के अनुसार:- "An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the Public Authority" Since No such data as sought by the applicant, is maintained in KVS (HQ) is unable to provide. |

Being dissatisfied, the Appellant filed a **First Appeal** dated 17.04.2021. The First Appellate Authority vide order dated 03.05.2021, upheld the CPIO's reply as under:

The undersigned being the Appellate Authority has considered the online appeal dated 17.04.2021 preferred by Sh. Vijender Saini.

The appellant stated that the PIO had provided the incomplete, misleading or false information.

The Appellate Authority perused the relevant records and came to the conclusion that the AC(Admin.)(Sh. Pushpendra Kumar)/PIO had replied on the said RTI application to the appellant vide letter dated 07.04.2021 mentioned above under the provisions of the RTI Act, 2005. Hence, the reply given by the PIO is hereby upheld.

Grounds for Second Appeal:

The Appellant filed a Second Appeal u/s 19 of the Act on the ground of unsatisfactory reply furnished by the Respondent. Appellant requested the Commission to direct the CPIO to provide complete information sought for and take appropriate legal action against the Respondent.

Submissions made by Appellant and Respondent during Hearing:

The Appellant stated that the Respondent has not provided any information with respect to the instant RTI Application till date and the same has been arbitrarily denied quoting section 7(9) of the RTI Act.

The Commission queried as to what is AMA, to which the Respondent submitted that the AMA means Authorized Medical Attendants.

The Commission further queried the Appellant as to why such information is required, to which the Appellant stated that AMAs are appointed through Central Government Employees Welfare Co-ordination Committee in every Kendriya Vidyalaya School for proper medical care of students and teachers, but the said appointments not done in most of the schools. To unveil the truth for larger public interest such information has been sought vide instant RTI Application.

The Respondent submitted that such information is maintained by all 25 Regional offices spread across the country and furnishing such information will require collection and collation from all the 25 regional offices. Further, the said information will be extremely voluminous in nature so, any attempt to furnish such information will attract section 7(9) of the RTI Act.

5
The Commission queried the Respondent whether there is any mandate which regulates the appointments of the AMAs in Kendriya Vidyalaya Schools, to which the Respondent furnished a circular issued by Kendriya Vidyalaya Sangathan. The Commission further queried the Respondent whether the averred information is available in the public domain, to which the Respondent replied in negative.

Upon careful perusal of the above circular, the Commission remarked that these appointments are made for the health care of the employees of KVs. Therefore, the information about the availability/ non-availability of such facility should be available in the public domain as mandated by section 4(1)(b) of the RTI Act. The Respondent concurred with the above remark of the Commission.

Decision:

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that the Appellant in the instant RTI Application has sought voluminous & scattered information that requires collection & collation of the data all the 25 Regional Offices of Kendriya Vidyalaya Sangathan which would divert the time and resources of the public authority in providing all. Hence directing the Respondent to provide the said information would attract section 7 (9) of the RTI Act, so the Commission upholds the stance taken by the Respondent.

Nevertheless, the Commission further observes that AMAs are appointed for health care of employees of KVs and the same is in larger public interest, therefore such information should to be suo moto disclosed through the

Kendriya Vidyalaya Sangathan's website as per section 4(1)(b) of the RTI Act.

The Commission would like to counsel the Respondent that every public authority shall make constant endeavor to take steps in accordance with the requirements of Section 4 (1) (b) of the RIT Act to provide as much information suo moto to the public at regular intervals through various means of communications, including internet, so that public have minimum resort to the use of RTI Act to obtain information and accordingly an advisory under section 25(5) of the RTI Act is issued to the Respondent, to suo-motu comply with provisions of Section-4(1)(b) of the RTI Act, 2005 to ensure transparency, credibility, objectivity and accountability in the functioning of the Public Authority. This will also relieve the public authority from the burden of RTI Applications which are filed for merely seeking such sort of information and not any specific record. In pursuance of the aforesaid advisory, the CPIO is directed to place a copy of this order before their competent authority for taking appropriate action.

The Commissioner, Kendriya Vidyalaya Sangathan, Head Office - New Delhi is advised to ensure compliance of the provisions of the RTI Act, 2005 in letter and spirit.

With the above observations, the instant Second Appeal is disposed of. Copy of the decision be provided free of cost to the parties.

The Appeal, hereby, stands disposed of.

Amita Pandove (अमिता पांडव)
Information Commissioner (सूचना आयुक्त)
दिनांक / Date: 22.09.2022

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

B. S. Kasana (बी. एस. कसाना)
Dy. Registrar (उप-पंजीयक)
011-26105027

Addresses of the parties:

1. The Commissioner, Kendriya
Vidyalaya Sangathan, Head
Office - New Delhi
2. The First Appellate Authority (FAA)
Kendriya Vidyalaya Sangathan,
18- Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016
3. The Central Public Information Officer
Kendriya Vidyalaya Sangathan,
18- Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016
4. Mr. Vijender Saini