

<b>RTI REQUEST DETAILS</b>	
<b>Registration No. :</b> MEAWA/R/E/23/00014	<b>Date of Receipt :</b> 29/06/2023
<b>Type of Receipt :</b> Online Receipt	<b>Language of Request :</b> English
<b>Name :</b> Ravinder Singh Payal	<b>Gender :</b> Male
<b>Address :</b> 436/C2 Niti Khand - 1, Indirapuram Ghaziabad, Uttar Pradesh, Pin:201014	
<b>State :</b> Uttar Pradesh	<b>Country :</b> India
<b>Phone No. :</b> +91-9871759404	<b>Mobile No. :</b> +91-9871759404
<b>Email :</b> rspayal@hotmail.com	
<b>Status(Rural/Urban) :</b> Urban	<b>Education Status :</b> Graduate
<b>Is Requester Below Poverty Line ? :</b> No	<b>Citizenship Status :</b> Indian
<b>Amount Paid :</b> 10 )	<b>Mode of Payment :</b> Payment Gateway
<b>Does it concern the life or Liberty of a Person ? :</b> No(Normal)	<b>Request Pertains to :</b> P. Jeya Pazham
<b>Information Sought :</b> RTI is attached for necessary action	
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>	

In continuation of my earlier RTI no. MEAWA/R/E/23/00014 dated 29/6/2023 and your ICWA RTI reply letter no. ICWA/137/1/2023 dated 26/07/2023, the following information may be kindly provided :

1. In respect of the event management agency services:
  - a. Which tender process was followed/ used, like the CPP portal, advertisement, limited tender, other tender, GeM, or any other method? Please elaborate and provide the information. The method used by ICWA for event management agency selection is as per GFR or not? Please provide the GFR rule position or any other government rule.
  - b. ICWA has paid an amount of 8,30,425/- and 34,35,604/-, which shows both amounts are very large. Such a large amount was paid without any contract; may kindly provide the information under which government rule or GFR the contract was not signed, or for any other reason.
  - c. GFR rule 147 is also not followed; the agency was not appointed through the GeM portal, which is mandatory as per GFR rule. May kindly provide the information that rule GFR 147 was not followed? If no answer is available, that shows an incompetent, non-eligible official holding the Accounts Officer post and intentionally not following the GFR and using the GFR as per their own benefits. This must be communicated to the vigilance department.
  - d. The expenditure incurred by the event management agency on ICWA events from the year 2021–22 till the current date with their full detail along with all breakdowns of expenditure may be kindly provided, and all noting, approval, and copies of the bill with enclosures may also be kindly provided.
  - e. As per the RTI information, no approval from the ICWA finance committee, programme committee, or ICWA GB and GC has been obtained. Under which rule or for any other reason the necessary approval was not taken, kindly provide the information along with supporting documents. If the approval is not necessary, the rule position will be kindly provided as well.
  - f. As per the RTI information, the advance was paid to Tantraa AMG Pvt. Ltd. Kindly provide the information that only one agency advance was paid? The rule position no. of GFR was not mentioned; may kindly provide the detailed GFR provision; may kindly provide the information on advances, including how much was paid and the calculation of the advance payment as well.
  - g. In total, an amount of Rs. 3435604 was paid to the event management agency, and as per GFR Rule 225 (xiii), it must be informed to C&AG Audit and Internal Auditors. The said rule was followed? If not followed, then it shows an incompetent, non-eligible official holding the Accounts Officer post and intentionally not following the GFR and using the GFR as per their own benefits. Shame-full. The intention is doubtful. This must be communicated to the vigilance department.
  - h. The below-mentioned rule is followed? Because one of the above-mentioned event management agencies was used more than once, kindly provide the information.

S.No.	Existing Provisions of GFRs, 2017	Amended Rule
3.	<p>Rule 150: Registration of Suppliers:</p> <p>(i) With a view to establishing reliable sources for procurement of goods commonly required for Government use, the Central Purchase Organisation (e.g. DGS&amp;D) will prepare and maintain item-wise lists of eligible and capable suppliers. Such approved suppliers will be known as "Registered Suppliers". All Ministries or Departments may utilise these lists as and when necessary. Such registered suppliers are prima facie eligible for consideration for procurement of goods through Limited Tender Enquiry. They are also ordinarily exempted from furnishing bid security along with their bids. A Head of Department may also register suppliers of goods which are specifically required by that Department or Office, periodically. Registration of the supplier should be done following a fair, transparent and reasonable procedure and after giving due publicity.</p>	<p>Rule 150: Registration of Suppliers:</p> <p>(i) <i>For goods and services not available on GeM, Head of Ministry/ Department may also register suppliers of goods and services which are specifically required by that Department or Office, periodically. Registration of the supplier should be done following a fair, transparent and reasonable procedure and after giving due publicity. Such registered suppliers should be boarded on GeM as and when the item or service gets listed on GeM.</i></p>

If not followed, then the same incompetent, non-eligible .....

- i. GFR Rule 139(v) states that (v) limited tenders will be called for works costing less than Rs five lakhs. I want to know if this rule was followed if the limited tender method was used in the hiring of an event management agency.

2. Rule 162 of Limited Tender Enquiry states that

- (i) This method may be adopted when estimated value of the goods to be procured is up to Rupees Twenty five Lakhs. Copies of the bidding document should be sent directly by speed post/registered post/courier/ email to firms which are borne on the list of registered suppliers for the goods in question as referred under Rule 150 above. The number of supplier firms in Limited Tender Enquiry should be more than three. Efforts should be made to identify a higher number of approved suppliers to obtain more responsive bids on competitive basis. Further, an organisation should publish its limited tender enquiries on Central Public Procurement Portal (CPPP) as per Rule 159. Apart from CPPP, the organisations should publish the tender enquiries on the Department's or Ministry's web site.
- (ii) The unsolicited bids should not be accepted. However Ministries/ Departments should evolve a system by which interested firms can register and bid in next round of tendering.
- (iii) Purchase through Limited Tender Enquiry may be adopted even where the estimated value of the procurement is more than Rupees twenty-five Lakhs, in the following circumstances.
  - (a) The competent authority in the Ministry or Department certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The Ministry or Department should

also put on record the nature of the urgency and reasons why the procurement could not be anticipated.

- (b) There are sufficient reasons, to be recorded in writing by the competent authority, indicating that it will not be in public interest to procure the goods through advertised tender enquiry.
  - (c) The sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped is remote.
- (iv) Sufficient time should be allowed for submission of bids in Limited Tender Enquiry cases.

Was the above rule for limited tender appropriately used for hiring the services of event management? Please provide a point-wise answer to the above rule.

3. All event management agencies appointed by ICWA from 2021–22 onwards, please provide all their notings and all documents on file.
4. In my first RTI application regarding the Inspection Questionnaire submitted to the Parliamentary Committee on Official Language, I had requested that ICWA disclose how many notings were made in Hindi in the Inspection Questionnaire reports of the respective years, how many letters were issued in Hindi, etc. would have gone. In this regard, whether the numbers mentioned in the report are correct or not, copies of how much notings was done in Hindi, how many letters were issued in Hindi, etc. should be provided for verification purposes.

In response to my RTI application, essential information is being deliberately hidden by ICWA. Whether the documents are voluminous or not, it is ICWA's duty under RTI to provide information. This type of argument reflects the CPIO's evasion of giving information and shows its incompetence. If your submitted records are correct, ICWA should not suppress facts or documents. There is always a process of collecting information from various departments before presenting it to the government or parliament, and every piece of information is available in the file. If the procedure was not followed, it shows that the ICWA administration is very inefficient in collecting information and proves that ICWA, without following the required procedure, provided wrong information to the government and Parliament.

To avoid such irresponsible and negligent work, it is once again requested that you kindly provide copies of the office noting number in Hindi, letters in Hindi, and other details as mentioned by ICWA in the inspection questionnaire reports. Under the RTI Act, it is the duty of the RTI Officer, or ICWA, to provide the information and documents as requested in the RTI. If your numbers are true and based on the facts, then ICWA should not deliberately hide the information or documents. If again ICWA deliberately hides information and runs away from the copies of the above documents, it shows that ICWA deliberately provided false information in the inspection questionnaire reports and lied to the parliament.

May kindly provide the above mentioned said required information.

Again, you are also informed that providing incomplete or misleading information is an offence under Section 20 of the RTI Act. Necessary information may please be provided, and appropriate action may be taken as per the RTI Act against the information provider for incomplete or misleading information.

5. As per the ICWA Act 2001 Rule 15(6), the **DG ICWA, other officers, and employees of the council** should all have leave, pension, gratuity, provident fund, and other matters according to the regulation. After that, ICWA service regulations were notified and laid before the parliament; the said rules were imposed only on council employees and not on the DG ICWA and other officers, which is a violation of the Act. The Act, which is passed by the Hon'ble Parliament, becomes a law, and in ICWA, this equality law was implemented unilaterally by the ICWA head of office or administration. They are flouting the Act passed by the House and, at the same time, trying to break the dignity of the Hon'ble Parliament.

Correct me if I am factually wrong. As per the rule mentioned above, apart from the Director General and regular employees of ICWA, other officers also come under its purview. Are the salaries, allowances, and all service benefits of other officers the same as those of the Director General and regular employees of ICWA? Are other officers also not getting pensions from the central government? Are they not getting ACP/MACP? Are CGHS benefits not available after retirement? etc. If not, am I factually wrong. How can two sets of rules on pay and service benefits be allowed in the same office (ICWA)? If it is written somewhere that there will be two different rules in one office regarding pay and services, please explain along with the documents, and if I am right that this should not happen, then it means that it is a violation of the ICWA Act and the Act passed by the House, and also that there is an attempt to break the dignity of the Honourable Parliament.

May kindly provide the information.

6. My requested was that :

ICWA Act 2001 can make regulations according to Rule 26, which was made after 14 years in 2014, according to which MACP has not been given yet, which is a clear violation of the Act. With such difficulty, after 14 years, when the regulation was made to give MACP, when it came to giving, DOPT's excuse was used, while no one could challenge or deny the regulation of the law of the ICWA Act. Against the ICWA Act, DOPT is not big, when as per the Act rules are framed no one agency can block in implementation. The Act that is passed by Parliament becomes law. By not implementing the Act, they are flouting the Act and, at the same time, trying to destroy the dignity of Parliament. The rules was not implemented, may kindly provide the information in regard.

If the DOPT is everything—why the Act was made and why other committees, bodies, and councils were made— If DOPT is supreme, then why were the other rules and regulations made? May kindly provide the information.

The information provided is incomplete and misleading. Please kindly provide the information with facts and figures and also provide the rule under which DOPT is bigger than the ICWA Act, ICWA GB & GC, because DOPT have defeated all the said ICWA Act, ICWA GB & GC, rules, and regulations.

7. I request the following information but no information was provided by the ICWA:

Sl. No.	Particulars	MEA deployed staff in ICWA	ICWA regular staff
1.	CGHS after retirement	Yes/ No	Yes/ No
2.	ACP/ MACP	Yes/ No	Yes/ No

<b>Sl. No.</b>	<b>Particulars</b>	<b>MEA deployed staff in ICWA</b>	<b>ICWA regular staff</b>
3.	Promotion	Yes/ No	Yes/ No
4.	CGHS card issued during service	Yes/ No	Yes/ No
5.	Government Old Pension Scheme	Yes/ No	Yes/ No
6.	Promotion	Yes/ No	Yes/ No

The above information was not provided to me; it is a clear case of intentionally hiding the information. This kind of reasoning shows the incompetence of the CPIO in running away from providing the information. If such simple information is not provided by the CPIO, then it shows an incompetent, non-eligible official holding the CPIO post, intentionally not providing the information, and misleading the said demanded information.

Again, you are also informed that providing incomplete or misleading information is an offence under Section 20 of the RTI Act. Necessary information may please be provided, and appropriate action may be taken as per the RTI Act against the information provider for incomplete or misleading information.

Once again requested to provide the above mentioned information.

It is once again requested that you don't intentionally hide the information because, under the RTI Act, it is an offence. So please reply to all the above RTI requests and provide the full information along with documents.