

**ACTION HISTORY OF RTI FIRST APPEAL No.AAOIN/A/E/26/00103**

**Applicant Name** B. Srikanta

**Text of Appeal** Appeal is attached at Supporting documents

**Reply of Appeal** Order no. AAI/A-Sec/Misc-05/RTI/2026/76 dated 17.04.2026 is attached

<b>SN.</b>	<b>Action Taken</b>	<b>Date of Action</b>	<b>Action Taken By</b>	<b>Remarks</b>
1	FIRST APPEAL RECEIVED	25/03/2026		
2	APPEAL FORWARDED TO CONCERNED FIRST APPELLATE AUTHORITY	27/03/2026	Nodal Officer	Online
3	APPEAL DISPOSED OF	22/04/2026	FAA - Capt Dilip Kumar	

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To,  
The First Appellate Authority  
ED (Security), AAI  
Rajiv Gandhi Bhawan, Safdarjung Airport  
New Delhi – 110003

Subject: **First Appeal under Section 19(1) of RTI Act, 2005 against incomplete, misleading and unlawful reply by CPIO**

Ref: RTI Application dated 24.02.2026  
RTI Registration No.: AAOIN/R/E/26/00279  
CPIO Reply dated: 23.03.2026

Sir,

I hereby file this First Appeal under Section 19(1) of the RTI Act, 2005 against the reply furnished by the CPIO, **which is incomplete, misleading, evasive and legally unsustainable.**

The CPIO has **mechanically denied information by misusing Sections 2(f), 8(1)(a), and 8(1)(j) without proper application of mind and has failed to provide certified copies of records.**

My point-wise submissions are as follows:

**Point No. 1:**

CPIO has stated that no Transfer Seniority List is available for the year 2025–26.

➤ **Submission:**

The reply is misleading and contrary to facts. The transfer profiles of Security discipline executives are available on the ESS Portal, which clearly establishes that relevant data exists in compiled and retrievable form.

Further, it is a matter of record that Dr. Naresh Sain, DGM (Security), is handling transfer/posting matters at CHQ and maintains such records, including transfer-related data and profiles.

Therefore, stating that no Transfer Seniority List is available reflects either:

- (a) Suppression of available records, or
- (b) Non-compliance with prescribed procedures

Moreover, non-preparation of Transfer Seniority List is itself a violation of AAI Transfer Policy, which mandates transparent and criteria-based transfers.

The second part of the query has been wrongly denied under Section 2(f), whereas certified copies of file noting, reasons, and approvals were specifically sought.

➤ **Prayer:**

Provide certified copy of Transfer Seniority List for 2025–26

If not prepared, provide certified records explaining reasons along with Competent Authority approval

Provide certified ESS Portal data used for transfer decisions

Fix responsibility for violation of AAI Transfer Policy

Provide affidavit if record is claimed unavailable

**Point No. 2:**

Denied under Section 2(f).

- Submission:  
The information sought relates to recorded file noting, approvals, and reasons, which are covered under Section 2(f). Denial is incorrect.
- Prayer:  
Provide certified copies of file noting and approvals.

**Point No. 3:**

Partial reply given.

- Submission:  
Only email provided; complete file noting and approval chain not provided.
- Prayer:  
Provide full file including note sheet and approvals.

**Point No. 4:**

Replied as “available on website”.

- Submission:  
CPIO failed to provide specific link or confirm compliance.
- Prayer:  
Provide certified record of upload and supporting documents.

**Point No. 5:**

Denied under Section 2(f).

- Submission:  
Criteria and justification are part of official records.
- Prayer:  
Provide certified copies of criteria and justification.

**Point No. 6:**

Denied under Section 8(1)(j).

- Submission:  
Information relates to official duties of a public servant and is not personal.
- Prayer:  
Provide information after severing personal details, if required.

**Point No. 7 & 8:**

Denied under Section 8(1)(a).

- Submission:  
Generic denial without justification is illegal.
- Prayer:  
Provide information or justify specific security risk.

### **Point No. 10:**

No reply provided.

- Submission:  
Amounts to deemed refusal.
- Prayer:  
Provide certified approval note and justification.

### **Point No. 11:**

No reply provided.

- Prayer:  
Provide station-wise list as requested.

### **Point No. 12:**

No reply provided.

- Prayer:  
Provide certified records regarding transfer consideration and retention.

### **HR-related queries:**

- Submission:  
Improper transfer without ensuring reply violates Section 6(3).
- Prayer:  
Ensure complete reply from concerned authority.

### **GROUND FOR APPEAL**

- Misuse of Section 2(f) to deny information
- Mechanical application of Sections 8(1)(a) & 8(1)(j)
- Incomplete and evasive reply
- Denial of certified copies
- Violation of transparency principles

### **LEGAL SUPPORT**

CBSE vs Aditya Bandopadhyay (2011, Supreme Court)

→ File noting and records must be disclosed

Girish Ramchandra Deshpande vs CIC (2013, Supreme Court)

→ Service records can be disclosed when public interest is involved

R.K. Jain vs Union of India (Delhi HC)

→ Transparency in service matters is essential

CIC Judgments (multiple)

→ "Information cannot be denied by terming it as clarification when records exist"

## **PRAYER**

It is respectfully requested that the First Appellate Authority may:

- Direct CPIO to provide complete and point-wise information
- Set aside wrongful denial under Sections 2(f), 8(1)(a), and 8(1)(j)
- Provide certified copies of all records
- Direct filing of affidavit for non-availability, if claimed
- Initiate action against CPIO for misleading reply.



**ORDER**

Passed by:  
Executive Director (Security) &  
First Appellate Authority,  
Airport Authority of India,  
'C' Block, Rajiv Gandhi Bhawan,  
Safdarjung Airport, New Delhi – 110003

In the matter of:  
Shri B. Srikanta

Order No. : AAI/A-Sec/Misc-05/RTI/2026/ 76

Date: 17.04.2026

1.0 PREAMBLE

- 1.1 This Order is made under Section – 19 of the Right to Information Act, 2005.
- 1.2 An appeal against this order lies with the Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi – 110067.
- 1.3 The appeal may be filed within 90 days from the date on which this order should have been made or is actually received.

2.0 FACTS

- 2.1 Shri B. Srikanta vide an online RTI Request Registration Number AAOIN/R/E/26/00279 dated 24.02.2026 has requested the information as under:

- 1(1) *“Certified copy of Transfer Seniority List (Tenure & Normal Stations separately) for DGM (Security) and SM (Security) prepared for 2025–26 for conducting Transfer Session 2026– 27, as mandated under AAI Transfer Policy.*
- 1(2) *If not prepared/uploaded by 31st October as required under policy, provide certified copy of file noting indicating reasons and approval of Competent Authority.*
- 2(3) *Certified copy of communication activating ESS Transfer Option for Security Directorate as per Corporate HRM Circular No. 01/2023.*
- 2(4) *Certified copy of letter inviting Annual Transfer 2026 options for Security Discipline Option Form 2026 along with record showing whether transfer seniority list was uploaded before inviting options.*
- 3(5) *If transfer seniority was not followed strictly, provide certified copy of criteria adopted and recorded justification in file.*

Cont... 2

4(6) *Certified copy of posting orders and stay details of Dr. Naresh Sain, DGM (Security), indicating:*

6(a) *Date of relieving from Surat Airport and date of joining at CHQ Delhi.*

6(b) *Whether his posting to CHQ Delhi was on "own cost request" basis or administrative transfer basis (certified copy of relevant order).*

6(c) *Whether the period of stay at CHQ Delhi after transfer from Surat Airport on own cost basis is counted as regular CHQ tenure under AAI Transfer Policy*

6(d) *Certified copy of rule/policy provision under which such own cost posting is counted or not counted towards CHQ tenure.*

6(e) *As per the approved list of Identified Sensitive Posts in AAI, "Officials involved in transfer/postings of cadre officials" are categorized as sensitive posts.*

*Kindly provide:*

6(i) *Certified copy of order/approval authorizing Dr. Naresh Sain to handle transfer/posting matters at CHQ.*

6(ii) *The prescribed maximum tenure/rotation norms applicable to such sensitive assignment.*

6(iii) *Certified copy of record showing whether his continuation in handling transfer matters complies with sensitive post rotation guidelines.*

5(7) *Certified copy of sanctioned strength and actual working strength (grade wise) of Security Discipline officers at:*

7(a) *Varanasi Airport*

7(b) *Vijayawada Airport*

5(8) *Certified copy of the approved Manpower Sanction Order indicating the sanctioned level of post (e.g., AM/JE/SM/DGM etc.) for the above airports.*

5(9) *Kindly provide list of Airports (with documentary reference) where:*

9(i) *The sanctioned post in Security Discipline is at the level of Assistant Manager / Junior Executive, but*

9(ii) *An officer of higher grade (e.g., Senior Manager or above) is presently posted against such sanctioned lower-grade post.*

5(10) Certified copy of approval note / file noting justifying posting of higher-grade officer against a lower sanctioned post, including:

- 10(a) Administrative reasons recorded,
- 10(b) Approval of Competent Authority,
- 10(c) Whether such posting is temporary or regular arrangement.

5(11) Certified copy of station-wise list of officers of Security Discipline (DGM / SM / Manager / AM / JE level) who have completed more than **03 years of continuous stay at the same station/CHQ/RHQ** as on 31.03.2026, indicating:

- 11(a) Name of officer
- 11(b) Designation
- 11(c) Station of posting
- 11(d) Date of joining at present station
- 11(e) Total continuous stay duration (in years/months)

5(12) Certified copy of record indicating:

- 12(a) Whether such officers were considered for transfer during Transfer Session 2026–27 as per minimum stay norms under AAI Transfer Policy.
- 12(b) If retained beyond 03 years at the same station, certified copy of recorded administrative justification and approval of Competent Authority.

6(13) Certified copy of document(s)/office order/circular indicating the **constitution, role, and responsibilities assigned to the HR representative/member** in the Transfer Recommendation Committee (TRC).

6(14) Certified copy of any policy provision, SOP, or circular defining:

- 14(a) Whether HR member is required to verify transfer seniority before recommendations.
- 14(b) Whether HR member is required to certify policy compliance prior to submission to Competent Authority.
- 14(c) Whether dissent/observations of HR member, if any, are required to be recorded in minutes”

2.2 CPIO Dr. Naresh Sain, DGM(Security) vide letter no. AAI/A-Sec/Misc-05/RTI/2026/54 dated 23.03.2026 has provided the reply/information to the appellant for the RTI request as under:

**For point no. 1(1)**

No Transfer Seniority List for the year 2025–26 is available as per records.

**For point no. 1(2)**

*The information sought is in clarification/question answer form and does not comes under the definition of 2(f) of RTI Act, 2005.*

**For point no. 2(3)**

*Copy of email dated 10.03.2026 is enclosed.*

**For point no. 2(4)**

*The information sought is available on AAI website.*

**For point no. 3(5)**

*The information sought is in clarification/question answer form and does not comes under the definition of 2(f) of RTI Act, 2005.*

**For point no. 4(6) (a) – (e)**

*The requested information pertains to a third party, has no relation to any public activity or interest and its disclosure would cause an unwarranted invasion of privacy and exempted under Section 8(1)(j) of the RTI Act, 2005*

**For point no. 4(6) (i) – (iii)**

*The information sought is related to internal distributions of official works and does not comes under the definition of Section 2(f) of the RTI Act, 2005*

**For point no. 5(7) to 5(12)**

*Under Section 8(1)(a) of the RTI Act, 2005 the information sought is exempted due to Security reasons.*

**For point no. 6(13) and 6(14)**

*Directorate of HR may respond*

- 2.3 Further, CPIO Shri Rishyesh Priyadarshy, GM (HR) vide letter no. A.60011/RTI-I/2026/HRPC/137 dated 10.04.2026 has the provided the online reply/information to the appellant for point no. 6(13) and 6(14) of the RTI request as under:

**For point no. 6(13)**

*Copy of Corporate HRM Circular No. 21/2014 is enclosed for reference*

**For point no. 6(14)**

*The information sought for is in clarification/question answer form and does not come under the definition of 2(f) of RTI Act.*

- 2.4 The appellant preferred an online appeal Registration Number AAOIN/A/E/26/00103 dated 25.03.2026 stating, "Provided Incomplete, Misleading or False Information" and prayed as under:

*Direct CPIO to provide complete and point-wise information*

*Set aside wrongful denial under Sections 2(f), 8(1)(a) and 8(1)(j)*

*Provide certified copies of all records*

*Direct filing of affidavit for non-availability, if claimed*

*Initiate action against CPIO for misleading reply*

3.0 FINDINGS/ORDER

- 3.1 Having gone through the matter, it is observed that CPIO Dr. Naresh Sain, DGM (Security) vide letter no. AAI/A-Sec/Misc-05/RTI/2026/54 dated 23.03.2026 has provided the online reply/information to the appellant for point No. 1(1) to 5(12); and transferred point no. 6(13) and 6(14) of the RTI request to Human Resources Department, CHQ. Further CPIO Shri Rishyesh Priyadarshy, GM (HR) vide letter no. A.60011/RTI-I/2026/HRPC/137 dated 10.04.2026 has provided the online reply/information to the appellant for point no. 6(13) and 6(14) of the RTI request.
- 3.2 In this matter, it would be pertinent to mention here that a citizen has a right to seek information from a public authority which is held by it or which is held under its control. It would also be pertinent to mention here that a public authority is supposed to provide the information as it is held by it.
- 3.3 Further, it is pertinent to mention that the collection, collation, compilation, or extraction of the requested information would entail extensive effort and would effectively amount to the creation of new information, which is beyond the scope of the provisions of the RTI Act, 2005. The Act envisages disclosure of information as is available on record and does not cast an obligation on the public authority to generate or compile information in the manner sought by the appellant. Moreover, undertaking such an exercise would disproportionately divert the limited resources of the public authority from its regular functions and duties, thereby adversely affecting its normal functioning. In this regard, such

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requests are not considered admissible under the provisions of the RTI Act, 2005. Accordingly, the reply/information provided by the CPIO is in accordance with the provisions of the RTI Act, 2005 and is based on the records available with the public authority.

3.4 Accordingly, the online appeal stands disposed of.

*Dilip Kumar*  
17/04/26

(Capt. Dilip Kumar)  
Executive Director (Security) &  
First Appellate Authority

Shri B. Srikanta

Dr. Naresh Sain, DGM (Security)/CPIO

Shri Rishyakesh Priyadarshy, GM (HR)/CPIO

Shri R. Prabhu, ED (HR)/ First Appellate Authority