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Pl: 985 ne
11/12/13

Speed Post

No. 13012/42/2013-K.VI(Pt.)
Government of India
Ministry of Home Affairs
Jammu and Kashmir Division

North Block, New Delhi

Dated 10th December, 2013

To

Shri Fayaz Ahmad
S/o Late Shri Haji Ghulam Nabi Wani
R/o Skaust Lane, Opposite Higher Secondary School
Mirakabad, Shalimar, Srinagar,
Kashmir-191121

Subject: Seeking information under the RTI Act, 2005- regarding.

Sir,

Please refer to your application dated 22.11.2013 wherein you have requested to provide a copy of your letter dated 24.09.2013 forwarded to Banking Division, Department of Financial Service, Ministry of Finance, New Delhi. A copy of your letter dated 25.10.2013 along with letter dated 24.09.2013 are enclosed herewith as desired.

- 2. Receipt No.27602 dated 09.12.2013 for Rs.10/- is also enclosed.
- 3. The Appellate Authority in the matter is Shri R. K. Srivastava, Joint Secretary (Kashmir), MHA, North Block, New Delhi.

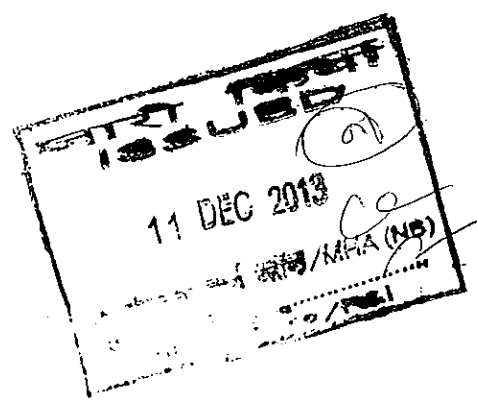
Enclosed

Yours faithfully,

(Signature)
(R.P. Meena) 10/12/2013

Deputy Secretary & CPIO

o/c



गृह मंत्रालय
Ministry of Home Affairs
जी. ए. आर. 6 / G. A. R. 6
(नियम 22(1) देखें) (See Rule 22(i))

रसीद / RECEIPT

27602

दिनांक 20
Dated 09/12/2023

सं. /No.


श्री/श्रीमती/सुश्री
Received From Shri/Smt./Km. Fayaz Ahmad

के पत्र संख्या/संदर्भ संख्या के साथ
with Letter No./Reference No. के दिनांक 20
Dated 20

बैंकर्स चेक/ड्राफ्ट/भारतीय पोस्टल आर्डर संख्या
Banker's Cheque/Draft/Indian Postal Order No. 08F 884733

के रूप में रुपये की नकद धनराशि
the sum of Rupees by Cash

सूचना के अधिकार अधिनियम, 2005 के शुल्क हेतु प्राप्त की।
on account of fee under Right to Information Act 2005.


आयकर / Initials

रुपये / Rs. 101

पदनाम / Designation

R.P. Meena
Director (K-11) & CPIO
Ministry of Home Affairs
Jammu & Kashmir Division
Room no. 92-A, North Block
New Delhi-110001

CR-201918/DS(KA)13441
29/RTI/C2/2013
6/12/13

Dated: 22.11.2013

"Duplicate Copy "

Subject: Information sought under RTI- Act 2005

Sir,

This has reference to your letter no. 13012/42/2013-K VI (Pt) dated: 4/12.11.2013 regarding the above.

In your above referred letter, you have acknowledged the receipt of our application dated: 05.10.2013, seeking information under RTI-Act & further submitted that our applications of 07.09.2013 & 10.09.2013 have not been received in J&K Division K-11 section. You are also acknowledging the receipt of our application dated: 24.09.2013 which has been forwarded to banking division department of financial service, New Delhi for appropriate action.

However a duplicate copy each of our application dated: 07.09.2013 & 10.09.2013 is being forwarded to you by us for your necessary & appropriate action in the matter.

We also request to you kindly provide us a copy of our application 24.09.2013 forwarded to banking division, department of Financial Service, Ministry of Finance, New Delhi for our information & record.

In any action has been initiated at your end, copy of same may be informed to us. We also enclosed a fee of Rs. 10.00 in shape of postal order no. 08F 884733 Dated: 09.11.2013.

We hope that the above information shall be provided to us at earliest.

Thanking you

With high regards



Fayaz Ahmad

S/O Late Haji Gh. Nabi Wani

R/O SKAUST Lane, opposite higher secondary school Mirakabad

Srinagar Kashmir- 191121

M no: 9018510111

End. S. Meena

45(K-VI)
6/12/13
22/11

Dated: 10.09.2013

Shri: R. K. Srivastava
 Ministry Of Home Affairs
 Joint Secretary (K)
 Jammu & Kashmir Division
 North Block, New Delhi—110001

Submission: - What was the reason SFAC/MFPI didn't provide information to us under RTI-ACT & has thus violated RTI norms/ regulation? They didn't provide the information to us because they were afraid they will get exposed of their misdeeds and the excesses met by us at their office. The said letter further informed that the RTI-ACT extends to whole of India except J&K State. Here the question arise that J&K State is not a part of India ?

Sir,

There is no doubt now that M.O.A (DAC) G.O.I has been giving tremendous rise to corruption practices in SFAC/MFPI and the secretary Agriculture (DAC) & MD (SFAC) & Horticultural Commissioner & Secretary (MFPI) has been playing a major & very important role in its acceleration & surprisingly, the facts has been confirmed by Director project/CPIO (SFAC) & Assistance Industrial Adviser/CPIO (MFPI) in their letters. In this connection we are submitting here as under:-

It is now proved that the MFPI has deliberately delayed the implementation of our project by projecting wrong facts and has deceived other Government Agencies (States & Central) & as such no further evidence is required in this behalf;

Regarding Information sought by us under RTI-ACT vide letter dated 3.7.2013; we didn't received any information till date.

Regarding other information sought by us under RTI-ACT informed vide letter dated: 11.7.2013 in response our letter Mr. Surinder Singh (Assistant industrial Adviser/CPIO) MFPI inform to us that MFPI already send reply vide letter dated: 28.01.2013. We haven't received said letter so far. We want MFPI, to produced postal receipt to us as evidence. MFPI has manipulation, & Direct/Appellate Authority is also involved in dirty game.

We have been informed vide letter dated; 14.8.2013 that such information cannot be provided to me as the same is commercially confidential & on its disclosure may harm the competitive position of the third party and therefore this information is exempted under section 8(1) d; & can also endanger the life or physical safety of the person to whom such information relates. **(Copy enclosed-Annexure-A)**

In the above matter it is informed that RTI-ACT entitles to any person (who so ever he may be) irrespective of caste, color & religion to obtain & seek any type of information relating to anybody from any department. There is no such rule that can debar anybody from obtaining any such information from any office. It is obvious that information is not provided to me as **I am the father of the Women Entrepreneurs (M/S Sultan Agro Tech (P) LTD)** of the proposed venture/ project only for one reason i.e. they will get themselves exposed of their misdeeds & wrong information given to other quarters (in our case) & also the harassment & excesses met by us (due to their lapses) which also led to non-completion of project.

It is also strange that another applicant from the State of J&K has sought same information under RTI-ACT from MFPI, & the information sought for by another applicant was provided by the MFPI vide their no; F.NO. MFPI /RTI 2006 dated 7.8.2013 & 22.08.2013. **(Copy enclosed-Annexure-B)**

As per letter of MFPI which reads that the RTI-ACT extends to the whole of India except state of J&K UNDER MM-IV. In other words the Ministry is telling that the J&K is no more part of India & is independent. MFPI declines the fact that J&K IS AN INTEGRAL PART OF THE COUNTRY, then in that course, why to blame terrorists who also seconds & affirms MFPI opinion & views. *It means the scheme*

- does not fall under MM-IV in the state of J&K in view of the fact that schemes are clearly approved by you for J&K

What was the reason SFAC didn't provide information to us under RTI-ACT& has thus violated RTI norms/ regulation? They didn't provide the information to us because they were afraid they will get exposed of their misdeeds and the excesses met by us at their office .The said letter further informed that the RTI-ACT extends to whole of India except J&K State .Here the question arise that J&K State is not a part of India ?

It is worthwhile to add that whatever we have so far been telling to one and all regarding the non-completion of our dream project the same view point has now been accepted & agreed by RBI, SFAC & SVO. The SFAC in one of its recent letters has openly held JK Bank never wanted the project gets through and created such an atmosphere from time to time that ultimately disrupted its implementation. Both JK Bank and SFAC have become habitual of projecting wrong facts of our case and thus have deceived you.

Furthermore, MFPI in one of their recent letters has clearly mentioned that RTI Act extends the whole of India except the state of JK under MM-IV, which in other words means **J&K IS NO MORE PART OF INDIA BUT IS INDEPENDENT. THIS IS A GRAVE SITUATION WHICH HAD CREATED CONFUSION AND CAN LEAD TO GREAT CONTROVERSEY AND ALSO DETROIT THE CENTRE-STATE RELATIONSHIP.** You are requested to obtain clarification from both SFAC/MFPI in the above context and also requested to initiate stern action against the irresponsible officers of both SFAC/MFPI for committing such a serious blunder.

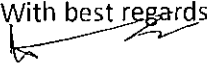
It is a grave situation & MFPI needs to clarify his position in the above matter & it is also proposed the Horticulture commissioner will initiate serious action against erring officers & MFPI for committing such a great blunder.

You may contact these offices which in here as under:-

1. Shri. P.K. Basu Honorable Secretary ,Ministry Of Agriculture, Department of Agriculture & Cooperation Krishi Bhawan, New Delhi – 110001
2. Secretary MFPI, Ministry of Food Processing Industries, Pansheel Bhawan, August Kranti Marg Khelgaon New Delhi-110049
3. Horticultural commissioner , Ministry of Agriculture, Department of agricultural & cooperation, Krishi Bhawan New Delhi 110001

Thanking you

With best regards


Fayaz Ahmad
S/O Late Haji Ghulam Nabi Wani
R/O SKAUST LANE, Opposite Higher Secondary School Shalimar Srinagar 191121
Mobile 9018510111

Enclose: 3 leaves

(2013)

Amber A

F. No. MFPI/RTI/2006
Govt. of India
Ministry of Food Processing Industries
Panchsheel Bhawan, August Kranti Marg
New Delhi 110049

Dated: 14.08.2013

Subject: Order - in -Appeal against RTI information sought / obtained under RTI Act 2005 by Mr. Fayaz Ahmad - reg.

Brief facts of the case:


Mr. Fayaz Ahmad, J&K sought information under RTI Act vide application dated 10.01.2013, which was received by this Ministry on 17.01.2013. He sought copies of bank sanction letter and bank appraisal note of M/s Super Star Food Products, Khunmoh, Srinagar and M/s Fruit Care Agro Industries, Pingling, Pulwama. After examining the application, CPIO passed Order dated 28.01.2013 as per the provisions of Section 11 and Section 8(1)(d) of the RTI Act 2005.

Discussion and findings:

I have examined the matter and noted that the CPIO had issued notices to the concerned third parties i.e. M/s Super Star Food Products, Khunmoh, Srinagar and M/s Fruit Care Agro Industries, Pingling, Pulwama seeking their comments / consent on disclosure of information as per Section-11 of the RTI Act. These third parties have not given their consent / did not agree to disclose any information relating to their projects including bank term loan sanction letter and appraisal note etc., to any person. Since disclosure of such information may affect their business / commercial interests, same should not be disclosed without their consent. Therefore, CPIO did not disclose / furnish information to the applicant as per Section 11 and Section 8(1)(d) of the RTI Act 2005. The same was communicated by CPIO to the applicant vide this Ministry's letter dated 28.01.2013 (copy enclosed).

Order:

In view of above facts, I do not find that there was any technical error in the decision of CPIO. Therefore, I do not see any merit in the appeal. The appeal is dismissed on merits.


(Capt. Sanjay Gahlot)
Director / Appellate Authority
Telefax No. 26497635

F. No. MFPI/RTI/2006
Govt. of India
Ministry of Food Processing Industries
Panchsheel Bhawan, August Kranti Marg
New Delhi 110049

Ammon B

Dated: 07.08.2013

To,
Ms. Raiza Bawan,
D/o Late Gh. Mohd Bawan,
Near CD Hospital Road,
Drujan Dalgate,
Srinagar-190001,
J&K.

Subject: Application seeking information under RTI Act 2005 regarding bank sanction letter,
/ SFAC evaluation report and forwarding letter to SFAC.

Sir,

Please refer to your application 11.07.2013 received through RTI Coord Cell of MPFI on 05.08.2013 regarding the above noted subject and to state that Section- 1 (2) of RTI Act 2005 provides that the RTI Act extends to the whole of India except the State of Jammu & Kashmir. Therefore, the information relating to the projects of J&K under MM-IV (which is also treated as 3rd party information) is not required to be disclosed.

Moreover, bank sanction letter and appraisal note of bank contains personal information of the promoter as well as information of commercial interests. Therefore, as per Section 8 (1) (d) and Section 11 of the RTI Act, such information may not be disclosed as these may affect competitive position / business interests of third party.

However, the copies of forwarding letters sent by MoFPI to SFAC for submitting evaluation report for these projects is enclosed. Copies of evaluation reports of SFAC may be obtained directly from SFAC.

If you are not satisfied with the aforesaid information, you may contact First Appellate Authority, who details are given below:

Capt. Sanjay Gahlot
Director
Ministry of Food Processing Industries
Panchsheel Bhawan, August Kranti Marg
New Delhi 110049

Yours faithfully,

Singh

(Surendra Singh)

Assistant Industrial Adviser / CPIO

Copy to:

1. The Managing Director, Small Farmers Agri Business Consortium, New NCUI Building, 5th Floor, 3, Siri Institutional Area, August Kranti Marg, Hauz Khas, New Delhi-16-with a request to furnish copies of evaluation reports of SFAC for the projects directly as sought by the applicant.
2. US(AK) – for kind information.

Anwar B



SFAC
लघु कृषक
कृषि व्यापार संघ

Speed Post

SFAC/RTI/Raiza Bawan/ 2001
August 22, 2013

Ms. Raiza Bawan,
D/o Late Gh. Mohd Bawan,
Near CD Hospital Road,
Drujan Dalgate,
Srinagar 190 001
J&K

Sub.: Information under RTC Act, 2005

Dear Madam,

In inviting a reference to your letter dated 11.07.2013 on the subject cited above, we are enclosing herewith copies of evaluation reports of SFAC for projects assisted under MM-IV of HMNEH. The letter No. MFPI/RTI/2006 dated 07.08.2013 from Ministry of Food Processing may kindly be referred to. (Copy enclosed).

Thanking you,

Yours faithfully,

(D. Bhuyan)
Director (Proj.)

Encl : Copies of three evaluation report of MM-IV projects

1. M/s Gobind Cold Storage, Narwal, Jammu
2. M/s Sultan Agro Tech Pvt. Ltd., Khonmoh
3. M/s Fruit Care Agro Industries, Pulwama

Small Farmers' Agribusiness Consortium

(Society sponsored by Dept. of Agriculture and Cooperation, Govt. of India)
5th Floor, NCUI Auditorium, August Kranti Marg, Hauz Khas, New Delhi - 110016
Tel: 91-11- 26966017, 26966037, 26862365, Fax: 91-11-26862367
Email: sfac@nic.in Web: www.sfacindia.com

SULTAN

Agro Tech Private Limited

Regd. Off. : Skuast Lane, Opp. Higher Secondary School,
Mirakabad, Shalimar, Srinagar, Kashmir-191121.

Factory : Food Park, Sidco Industrial Complex,
Khunmoh, Srinagar, Kashmir - 191104.

Telefax : 0914-2461528
09205061533

Mobile : 09906965997
08803341214

E-mail : sultanagrotechpl@yahoo.co.in
sultanpl@yahoo.co.in

SATPL/2013/BANK-SFAC/ENQUIRY/786/11 Dated: 07.09.2013

Shri. R.K.SRIVASTAVA
Joint Secretary (K)
Ministry Of Home Affairs
Jammu & Kashmir Division
North Block, New Delhi -110001

Subject: - 1. The MOA (DAC), RBI & SVO confirmed our allegations, leveled by us against chairman JK Bank, and
Managing Director SFAC
2. Problem faced by Sultan Agro Pvt. Ltd Regarding.

Sir,

This has reference to our various representations of different dates to your office on the above noted subject. We are very thankful to Mr. Bhopal Singh (Director) & Miss. Suman Dixit (Under secretary) is very cooperative & positive approach in our case.

The Director (K-11) sent our representation to the principal secretary (Home), J&K vide letter no 13012/18/2013-K.V1 dated 12.8.2013 the letter does not pertain to J&K Bank, but to Secretary Agricultural (G.O.I). It is very strange actually the letter pertains to Secretary Agricultural & Cooperative (G.I.O) & should have been forwarded to them instead of sending the same to Principal Secretary Home (JK) which added more trouble to the already harassed promoters & consumption of much needed time. We request you to; please send a copy of the letter to Secretary Agricultural & cooperation at the earliest for their further action.

We have already informed to your office vide letter dated 20.3.2013, JK Bank deceived state vigilance organization, as well as your ministry (G.O.I), along with documentary evidence of JK Bank, but unfortunately your ministry did not take any serious action against chairman JK Bank. Therefore we approached Honorable Governor (JK) with the request take appropriate action in the matter and copy thereof endorsed to State Vigilance Organization (J&K).

We are glad to inform you that State Vigilance Organization examined our representation on the basis of our letter dated on 14.06.2013.

And surprisingly, this fact has been confirmed by State Vigilance Organization (GOVT. OF J&K) in their letter no SVO/Bank-G-12/2012-9893 dated: 22/08/2013 addressed to the chairman JK Bank in which SVO has confirmed our allegations leveled by us against the chairman. The above letter also admits that JK Bank has projected wrong facts and deceived before state vigilance Organization as well Ministry of Home Affairs (G.O.I) and other Government Agencies (both central & state) with the intention to harass the promoters. The letter further states the JK Bank has violated RBI Norms & rules & stopped term loan to the company which played a vital role for non-implementation of the project. The above letter of SVO clearly indicates CM' Secretariat by projecting wrong facts. **(Copy enclosed- Annexure-A)**

There is no doubt now that J&K Bank has been giving tremendous rise to corruption practices in the state of J&K & the chairman has been playing a major & very important role in its acceleration.

The case was also brought to the office of commissions (CIC) where promoters and SFAC were present and SFAC become handicapped and could not defend its position stand. It was made clear that there is no such guideline in the scheme of VCA, where the promoter has to clear the earlier dose of VCA in order to avail 2nd

infusion of VAC as per revised project cost. SFAC was also directed at CIC, to take appropriate decision & consider the request for 2nd infusion of VCA based on the norms governing the scheme. **(Copy enclosed-Annexure-B)**

Recently we are also in receipt of a letter from SFAC vide no; SFAC/6-5/VCA/2007/3305/1921 dated: 08.08.2013 in which they have informed that the J&K Bank has projected wrong facts of the case and has also deceived us. **(Copy enclosed- Annexure-C)** The SFAC letter further revealed that unit could not received full finance seek from different institution. Also, the bankers revealed that the promoter wanted the change in proposal for up gradation of unit by installation of latest machinery & technology after the project was already sanctioned .We want to make it clear again, that we have never request the JK BANK (CAD)/Branch unit for revising the project, but the fact is that JK Bank of its own decided to make revision and accordingly advised us to get a revised project report prepared & submitted the same to the bank as per directions & the bank wrongly informed SFAC/MFPI the report was submitted to them by the promoter one year later. The SFAC has agreed in their above letter that bank is whole & solely responsible for the delay that grounded the project & has deceived other Govt. Agencies and has play major role in delaying the implementation of the project.

We are glad to inform you that RBI has agreed our point of view & there for (Governor) RBI issued orders to Banking Ombudsman (Delhi office) to re- open our case once again & re-examine the same based on the facts & merits of the case as JK Bank has also deceived Banking Ombudsman by wrong reporting of information. **(Copy enclosed-Annexure-D)**.The State Vigilance Organization JK State also agreed that the chairman JK Bank has deceived various quarters & highest Authority in the country, as well, in the state. **(Copy enclosed-Annexure-E)**

This fact has also been confirmed by RBI & SVO in their letter & therefore, there is no need for any further evidence in this behalf.

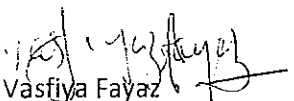
In view of above circumstances of the case, it is proposed that Secretary Agricultural may be advised to desist from any further wrong reporting in our case & SFAC be also directed to provide the enhanced amount of VCA based on approved revised project appraisal of the bank to the promoters so that the project is taken to its logical end and without any further disruption.

We once again most humbly request to you kindly take up the matter with the chief Ministry J&K, with a direction to conduct a High Level Enquire ,so that truth &facts are brought to light &justice is provided to the promoters on the base of report of SVO.

IF ANY ACTION HAS BEEN INITATED AT UR END; SAME MAY BE INFORMED TO US.

Thanking you,

With high regards,


Vasfiya Fayaz
Managing Director

ENCLOSE: "6" Pages

GOVERNMENT OF JAMMU AND KASHMIR
STATE VIGILANCE ORGANIZATION
J&K SRINAGAR

Amun-AB
E

The Chairman,
J&K Bank Limited,
Corporate Headquarters, M.A. Road,
Srinagar, Kashmir.

No: SVO/Bank-G-12/2012- 9893

Dated: [✓] 22.08.2013.

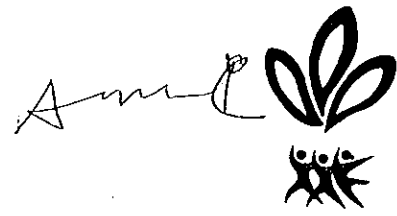
Subject:- Proposal of M/S Sultan Agro Tech Private Limited for setting up of unit for fruit and vegetable processing and its by products, under MH-IV.

Sir,

M/S Sultan Agro Tech Private Limited has submitted a complaint to his Excellency the Hon'ble Governor J&K Srinagar copy thereof endorsed to State Vigilance Organization wherein inter-alia the complainant has sought redressal of grievances as under:-

- 1) That J&K Bank CAD rejected their term loan proposal time and again by imposing unwarranted and irrelevant pre-disbursement conditions whereas in similarly situated cases no such conditions were imposed by the Bank.
- 2) It was impressed upon Sultan Agro Tech Private Limited to furnish approvals/ commitment letter of MFPI and SFAC Government of India regarding sanction of grant-in-Aid for 310.00 lacs and VCA of Rs.88.90 lacs favouring unit holder.
- 3) The J&K Bank CAD made further modifications for sanctioning of term loan in 2009 and disbursed only 50% of the sanctioned loan however both SFAC/ MFPI did not release grant-in-aid and VCA to the company.
- 4) The J&K Bank in letter dated 14.01.2013 addressed to MOFPI/SFAC, wrongfully mentioned that company has now submitted revised project report whereas, the fact is that the company had submitted report in December, 2010 and hence the bank has misinformed MOFPI/SFAC regarding time of submission of revised project report.
- 5) The Bank took time of 16 months to sanction revised project cost which was sanctioned on 3rd April 2012 for an amount of Rs.1474.14 lacs but again imposed pre-disbursement conditions in sanctioning of Term Loan i.e to furnish the letter of intent/ commitment letter from MFPI/SFAC i.e Grant/ VCA in favour of the unit as under:-

SPEED POST



SFA
लघु कृषि
कृषि व्यापार

No.-SFAC/6-5/VCA/2007/3305/19

Dated-08.08.2013

To

✓ Ms. Reshma Fayaz
D/o Fayaz Ahmed
C/o Sultan Agro Tech Private Limited
R/o Skaust Lane, Opp. Higher Secondary School
Mirakabad Shalimar Srinagar Kashmir-191 121

Subject: Information under RTI Act, 2005.

Ref: Your Letter No. - SATPL/CPIO/MD/SFAC786/21, dated-22.06.2013

Dear Madam,

As desired vide your above letter under RTI Act, it is to inform that the said Evaluation Report is available at our website sfacindia.com. However, we are also sending herewith photocopies of Page No. 75 & 93 of aforesaid Report which are concerned to M/s Sultan Agro Tech Private Limited, J&K for your kind information.

Yours faithfully,


(D. Bhuyan)
CPIO

Encls: As above

Small Farmers' Agribusiness Consortium

(Society sponsored by Dept. of Agriculture and Cooperation, Govt. of India)
5th Floor, NCU Auditorium, August Kranti Marg, Hauz Khas, New Delhi - 110016
Tel: 91-11- 26966017, 26966037, 26862365, Fax: 91-11-26862367

Email: sfac@nic.in Web: www.sfacindia.com

Sultan Agro Tech Pvt. Ltd



Location:	Block: Food Park SIDCO Industrial Complex Khonmoh, District: Srinagar. State: Kashmir	
Plant Capacity	80 tons / day	
Date of Sanction of VCA from SFAC:	11 September, 2009	
Financing Bank :	Jammu & Kashmir Bank Ltd.	
	Particulars	Amount Rs. Lakh
	Cost of the Project TFO	755.66
	Bank Loan	265.76
	SFAC - VCA	88.90
	Margin Money	91.00
	Subsidy from MOFPI as a grand and aid	139.34
Sector / Activity / Major products:	Horticulture Concentrates of Apple Apricot, Plum, Carrot, Peach and Pear	
Brief description of Project performance:	The project has not been able to start as a result the impact of the implementation of the scheme could not be visualized.	
Nature of benefits/ Impact:	-NA-	
Major observations:	<ul style="list-style-type: none"> The reason being the unit could not receive the <u>full financial assistance</u> <u>seeked from different institution</u>. Also, the bankers revealed that the promoter wanted the change in proposal for upgradation of unit by installation of latest machinery and technology after the project was already sanctioned. The permission to change the plan for other agencies like SFAC and MOFPI was made available. This led to a kind of deception in the mind of the banker on the intention of the promoter that delayed the grounding of project. Still no decision has been taken, venture as per project report submitted to bank or a revised project needs to be submitted. 	



Amr - L
D

भारतीय रिजर्व बैंक
RESERVE BANK OF INDIA
www.rbi.org.in

By Speed Post

CSD.CO.BOS.No. 517/13.23.02/2012-13

July 29, 2013


Shri Vasfiya Fayaz
M/s Sultan Agro Tech Pvt Ltd.
Skusat Lane, Opp.Higher Secondary School
Mirakabad, Shalimar, Srinagar
Kashmir 191 121.

Dear Sir

Complaint against J & K Bank- Complaint-No. 201213014003954

Please refer to representation against the decision of the Banking Ombudsman, New Delhi. We have forwarded your complaint to the Office of the Banking Ombudsman, New Delhi for re examination. You may await further communication from BO, New Delhi in the matter.

Yours faithfully


(J. D. Donde)
Manager

ग्राहक सेवा विभाग, केन्द्रीय कार्यालय, पहली मंजिन, अमर बिल्डिंग, सर पी.एम. रोड, फोर्ट, मुंबई-400 001
Customer Service Department, Central Office, 1st floor, Amar Bldg., Sir P M Road, Fort, Mumbai-400 001
टेलीफोन/Telephone No 022-2260 3000/2260 4000 फैक्स/Fax No 022-2263 1744
हिंदी में काम करना आसान है इसका प्रयोग बढ़ाइए।

चेतावनी: रिजर्व बैंक द्वारा ई-मेल, एसएमएस, कॉल के जरिए किसी की व्यक्तिगत जानकारी, बैंक के खाते का ब्यौरा, पासवर्ड, आदि नहीं मांगी जाती है।
यह धन रखने या देने के पस्ताव भी नहीं करता है। ऐसे पस्तावों को किसी भी तरीके से जवाब मत دیجिये।
Caution: RBI never sends mails, SMSs or makes calls asking for personal information like bank account details. Passwords etc it never keeps or offers funds to anyone. Please do not respond in any manner to such offers

R.V.
A. 28/11/13
13/11/13

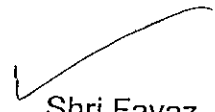
(15)

Speed Post

No. 13012/42/2013-K.VI(Pt.)
Government of India
Ministry of Home Affairs
Jammu and Kashmir Division

North Block, New Delhi
Dated 4th November, 2013

To



Shri Fayaz Ahmad
S/o Late Shri Haji Ghulam Nabi Wani
R/o Skaust Lane, Opposite Higher Secondary School
Mirakabad, Shalimar, Srinagar,
Kashmir-191121

Subject: - Seeking information under the RTI Act, 2005- regarding.

Sir,

Please refer to your application dated 05.10.2013 (receipt on 28.10.2013) seeking information under RTI Act, 2005. In this regard, it is submitted that his RTI application 07.09.2013 and 10.09.2013 has not been received in J&K Division, K-VI Section. Your application dated 24.09.2013 has been received in K-VI. Section and forwarded to Banking Division, Department of Financial Service, Ministry of Finance, New Delhi for appropriate action.

The Appellate Authority in the matter is Shri R. K. Srivastava, Joint Secretary (Kashmir), MHA, North Block, New Delhi.

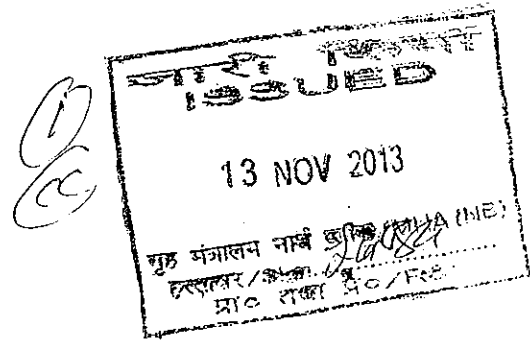
Yours faithfully,

(R.P. Meena)

Director (K-II) & CPIO

Copy to:

Shri S. Samanta, Under Secretary, RTI Section, MHA, North Block, New Delhi
w.r.t. letter No. A-43020/01/2013-RTI dated 23.10.2013.



(R.P. Meena)
Director (K-II) & CPIO
o/c

Receipt Details

Receipt No : 166129/2013/Office of JS(K)
 From : Fayaz Ahmad

File No :
 Designation :
 Sub
 Category :

Main Category : RTI matters

Address : Skaust Lane Opp Hr Sec School, Shalimar Srinagar

Sent Date : 17/09/13
 16:57:55

Letter Reference
 No :

Letter Date : 9/10/13

Subject : Non providing of information by SFAC/MFPI under
 RTI Act

Enclosures: -

Movement Details

<u>Sent By</u>	<u>Sent On</u>	<u>Sent To</u>	<u>Action</u>	<u>Remarks</u>	<u>Received On</u>
SULEKHA,Office od DS(K-I)	17/09/13 04:57	S.K AHUJA,K-II	Forward -		-
SANJAY ROY,OFFICE OF DIR(MEDIA)	17/09/13 04:56	SULEKHA,Office od DS(K-I)		Forced Received:Pull...	17/09/13 04:56
RAVINDRA KUMAR SRIVASTAVA,OFFICE OF JS(K)	16/09/13 05:19	SANJAY ROY,OFFICE OF DIR(MEDIA)	Forward -		-

गृह मंत्रालय
Ministry of Home Affairs

जी. ए. आर. 6 / G. A. R. 6
(नियम 22(1) देखें) (See Rule 22(i))

रसीद / RECEIPT

सं. / No. 27187

दिनांक 20
Dated 22/10/2013

श्री/श्रीमती/सुश्री

Received From Shri/Smt./Km. Fayaz Ahmad

के पत्र संख्या/संदर्भ संख्या के साथ

with Letter No./Reference No.

के दिनांक 20
Dated 20

बैंकर्स चेक/ड्राफ्ट/भारतीय पोस्टल आर्डर संख्या

Banker's Cheque/Draft/Indian Postal Order No. 086 884006

के रूप में रूपये की नकद धनराशि

the sum of Rupees by Cash

सूचना के अधिकार अधिनियम, 2005 के शुल्क हेतु प्राप्त की।
on account of fee under Right to Information Act 2005.


आद्यक्षर / Initials

रूपये / Rs. 10/-

पदनाम / Designation

on K.VI and K.VI Sect
25/10/13

CRN-186374/25/10/13

25/RTI/K.VI/2013
30/10/13
RTI MATTER/TIME BOUND

No.A-43020/01/2013-RTI
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

Recd today
25/10/13

New Delhi, Dated the 23/10/2013.

OFFICE MEMORANDUM

IS(K) on Govt Sec-4
25/10


Subject: Application of Shri/Smt/Kum. Fayaz Ahmed.....
..... under the Right to
Information Act, 2005.

us (K.VI)
us (K.VI)

The undersigned is directed to forward herewith an application dated
5.1.10/2013 under the RTI Act, 2005 of
Shri/Smt/Kum. Fayaz Ahmad
(received in this Ministry on 17.10.2013 /by transfer from
.....) to
Kashmir Division for providing information, as the requested information
pertains to/more closely related to the functions of the said Division. It is requested
that if the subject matter pertains to any other CPIO/Public Authority, the
application may be further transferred to that Authority directly, under intimation to
the applicant.

3. The applicant has paid the requisite fee of Rs.10/- vide Receipt No.
27187 dated 21/10/2013 (copy enclosed) / not paid the fee since he
claims to belong to the Below Poverty Line (BPL) Category.

Encl: As above.


(S. Samanta)

Under Secretary to the Govt. of India.

To
Joint Secretary (K)
M/o. Home Affairs
North Block, New Delhi

Copy for information to:

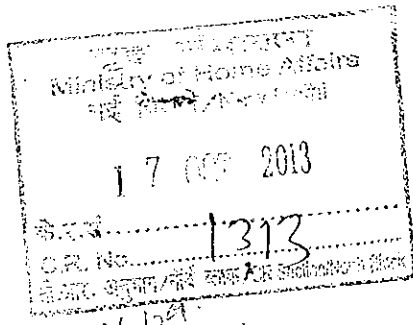
Shri/Smt/Ms. Fayaz Ahmed
R/o. Skaust Lane
oppo. G. Higher Secondary School - Mirakabed
Shalimar, Sunagar, Kashmir - 191121

(He/She is requested to contact the above-mentioned CPIO/Public Authority for further information in the matter).

6417)RTI/2013
22/10/13

Central Public information Officer
Ministry of Home Affairs (G.O.I)
Jammu and Kashmir Division
Room no. 93-A, North Block
New Delhi-110001

Dated: 05.10.2013



Subject: Information under RTI Act-2005

(2/16/12)
Dir(M)

Sir,

Kindly provide me information, what action was taken on our application vide letter no's & SVO letters

1. SATPL/2013/Bank-SFAC/ENQUIRE /786/1/Dated:07.09.2013
2. SVO-Bank-NG-12/2012-11555 Dated:24.09.2013
3. Dur Letter Dated:10.09.2013 copy enclosed

If any action has been initiated at your end; copy of same may be informed to us. We also enclosed a fee of RS.10/- each in shape of postal order no. 884006 dated: 05.10.2013.

We hope that the above information shall be provided to us at earliest.

Thanking you,

With high regards

Fayaz Ahmad
S/O -Late Haji Ghulam Nabi Wani
R/O - SKAUST lane, opposite higher secondary school,
Mirakabad, Shalimar, Srinagar, Kashmir.191121
Mobile: 9018510111

Encl. 3 lrs.

JS(K)

Shri. R. K. Srivastava
 Ministry Of Home Affairs
 Joint Secretary (K)
 Jammu & Kashmir Division
 North Block, New Delhi—110001

Dated: 10.09.2013

Submission: - What was the reason SFAC/MFPI didn't provide information to us under RTI-ACT & has thus violated RTI norms/ regulation? They didn't provide the information to us because they were afraid they will get exposed of their misdeeds and the excesses met by us at their office. The said letter further informed that the RTI-ACT extends to whole of India except J&K State. Here the question arise that J&K State is not a part of India ?

Sir,

There is no doubt now that M.O.A (DAC) G.O.I has been giving tremendous rise to corruption practices in SFAC/MFPI and the secretary Agriculture (OAC) & MO (SFAC) & Horticultural Commissioner & Secretary (MFPI) has been playing a major & very important role in its acceleration & surprisingly, the facts has been confirmed by Director project/CPIO (SFAC) & Assistance Industrial Adviser/CPIO (MFPI) in their letters. In this connection we are submitting here as under:-

It is now proved that the MFPI has deliberately delayed the implementation of our project by projecting wrong facts and has deceived other Government Agencies (States & Central) & as such no further evidence is required in this behalf;

Regarding Information sought by us under RTI-ACT vide letter dated 3.7.2013; we didn't received any information till date.

Regarding other information sought by us under RTI-ACT informed vide letter dated: 11.7.2013 in response our letter Mr. Surinder Singh (Assistant industrial Adviser/CPIO) MFPI inform to us that MFPI already send reply vide letter dated: 28.01.2013. We haven't received said letter so far. We want MFPI, to produced postal receipt to us as evidence. MFPI has manipulation, & Direct/Appellate Authority is also involved in dirty game.

We have been informed vide letter dated; 14.8.2013 that such information cannot be provided to me as the same is commercially confidential & on its disclosure may harm the competitive position of the third party and therefore this information is exempted under section 8(1) d; & can also endanger the life or physical safety of the person to whom such information relates. **(Copy enclosed-Annexure-A)**

In the above matter it is informed that RTI-ACT entitles to any person (who so ever he may be) irrespective of caste, color & religion to obtain & seek any type of information relating to anybody from any department. There is no such rule that can debar anybody from obtaining any such information from any office. It is obvious that information is not provided to me as I am the father of the Women Entrepreneurs (M/S Sultan Agra Tech (P) LTD) of the proposed venture/ project only for one reason i.e. they will get themselves exposed of their misdeeds & wrong information given to other quarters (in our case) & also the harassment & excesses met by us (due to their lapses) which also led to non-completion of project.

It is also strange that another applicant from the State of J&K has sought same information under RTI-ACT from MFPI, & the information sought for by another applicant was provided by the MFPI vide their no; F.NO. MFPI /RTI 2006 dated 7.8.2013. **(Copy enclosed-Annexure-B)**

As per letter of MFPI which reads that the RTI-ACT extends to the whole of India except state of J&K UNDER MM-IV. In other words the Ministry is telling that the J&K is no more part of India & is independent. MFPI declines the fact that J&K IS AN INTEGRAL PART OF THE COUNTRY, then in that course, why to blame terrorists who also seconds & affirms MFPI opinion & views. *It means the scheme*

does not fall under MM-IV in the state of J&K in view of the fact that schemes are clearly approved by you for J&K

What was the reason SFAC didn't provide information to us under RTI-ACT & has thus violated RTI norms/ regulation? They didn't provide the information to us because they were afraid they will get exposed of their misdeeds and the excesses met by us at their office. The said letter further informed that the RTI-ACT extends to whole of India except J&K State. Here the question arise that J&K State is not a part of India ?

It is worthwhile to add that whatever we have so far been telling to one and all regarding the non-completion of our dream project the same view point has now been accepted & agreed by RBI, SFAC & SVO. The SFAC in one of its recent letters has openly held JK Bank never wanted the project gets through and created such an atmosphere from time to time that ultimately disrupted its implementation. Both JK Bank and SFAC have become habitual of projecting wrong facts of our case and thus have deceived you.

Furthermore, MFPI in one of their recent letters has clearly mentioned that RTI Act extends the whole of India except the state of JK under MM-IV, which in other words means **J&K IS NO MORE PART OF INDIA BUT IS INDEPENDENT. THIS IS A GRAVE SITUATION WHICH HAD CREATED CONFUSION AND CAN LEAD TO GREAT CONTROVERSEY AND ALSO DETROIT THE CENTRE-STATE RELATIONSHIP.** You are requested to obtain clarification from both SFAC/MFPI in the above context and also requested to initiate stern action against the irresponsible officers of both SFAC/MFPI for committing such a serious blunder.

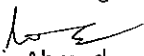
It is a grave situation & MFPI needs to clarify his position in the above matter & it is also proposed the Horticulture commissioner will initiate serious action against erring officers & MFPI for committing such a great blunder.

You may contact these offices which in here as under:-

1. Shri. P.K. Basu Honorable Secretary ,Ministry Of Agriculture, Department of Agriculture & Cooperation Krishi Bhawan, New Delhi - 110001
2. Secretary MFPI, Ministry of Food Processing Industries, Pansheel Bhawan, August Kranti Marg Khelgaon New Delhi-110049
3. Horticultural commissioner , Ministry of Agriculture, Department of agricultural & cooperation, Krishi Bhawan New Delhi 110001

Thanking you

With best regards


Fayaz Ahmad

S/O Late Haji Ghulam Nabi Wani

R/O SKAUST LANE, Opposite Higher Secondary School Shalimar Srinagar 191121

Mobile 9018510111

No.13012/6/2013-K.VI
Government of India
Ministry of Home Affairs
Jammu & Kashmir Division

North Block, New Delhi
Dated 25th October, 2013

Subject: - Complaint regarding victimization and harassment at the hands of J&K Bank Ltd., Srinagar.

The undersigned is directed to enclose herewith a copy of letter No. SVO-Bank-NG-12/2012-11555 dated 24.09.2013 on the above subject.

You are requested to examine the matter and take appropriate action under intimation this Ministry.

Admit
(Suman Dixit)
Under Secretary(K.VI)

Under Secretary, BOA Section
Banking Division,
Deptt. of Financial Service
Ministry of Finance
Jeevandeep Building
New Delhi

P.B. (17) 12/13

o/c

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GOVERNMENT OF JAMMU AND KASHMIR
VIGILANCE ORGANISATION
J&K- SRINAGAR.

The Under Secretary,
Ministry of Home Affairs, J&K Division (K.VI Desk)
Govt. of India,
North Block-New Delhi.

No:-SVO-Bank-NL-12/2012-11555

Dated:- 24-09-2013

Subject:- Complaint regarding victimization and harassment at the hands of J&K Bank. Ltd., Srinagar.

Reference:- This office letter No. SVO/Bank-G-12/2012-76-77 dated 02.01.2013.

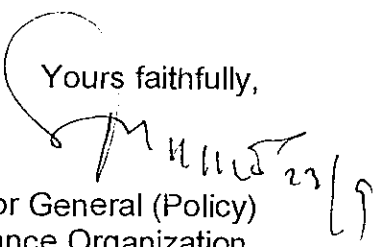
Sir,

In continuation to the above mentioned reference on the cited subject, I am directed to intimate that the mentioned reference was framed after receiving a report from Chairman, J&K Bank, Srinagar. Subsequently, the complainant contested the report of the J&K Bank and controverted the facts contained in it, by submitting a comprehensive representation.

After going through the representation of the complainant, this organization has again taken up the matter with the Chairman, J&K Bank Ltd. vide this office letter No. SVO/Bank-G-12/2012-9893 dated 22.08.2013, with the recommendations to look into the matter holistically and furnish a factual report to this organization. The copy of the letter issued by this organization to J&K Bank is enclosed for your kind perusal and further necessary action.

Yours faithfully,

Encls:- Copy of letter (2 lvs)


Assistant Inspector General (Policy)
Vigilance Organization,
J&K Srinagar.

GOVERNMENT OF JAMMU AND KASHMIR
STATE VIGILANCE ORGANIZATION
J&K SRINAGAR

The Chairman,
J&K Bank Limited,
Corporate Headquarters, M.A. Road,
Srinagar, Kashmir.

No: SVO/Bank-G-12/2012- 9893

Dated: 22.08.2013.

Subject:- Proposal of M/S Sultan Agro Tech Private Limited for setting up of unit for fruit and vegetable processing and its by products, under MH-IV.

Sir,

M/S Sultan Agro Tech Private Limited has submitted a complaint to his Excellency the Hon'ble Governor J&K Srinagar copy thereof endorsed to State Vigilance Organization wherein inter-alia the complainant has sought redressal of grievances as under:-

- 1) That J&K Bank CAD rejected their term loan proposal time and again by imposing unwarranted and irrelevant pre-disbursement conditions whereas in similarly situated cases no such conditions were imposed by the Bank.
- 2) It was impressed upon Sultan Agro Tech Private Limited to furnish approvals/ commitment letter of MFPI and SFAC Government of India regarding sanction of grant-in-Aid for 310.00 lacs and VCA of Rs.88.90 lacs favouring unit holder.
- 3) The J&K Bank CAD made further modifications for sanctioning of term loan in 2009 and disbursed only 50% of the sanctioned loan however both SFAC/ MFPI did not release grant-in-aid and VCA to the company.
- 4) The J&K Bank in letter dated 14.01.2013 addressed to MOFPI/SFAC, wrongfully mentioned that company has now submitted revised project report whereas, the fact is that the company had submitted report in December, 2010 and hence the bank has misinformed MOFPI/SFAC regarding time of submission of revised project report.
- 5) The Bank took time of 16 months to sanction revised project cost which was sanctioned on 3rd April 2012 for an amount of Rs.1474.14 lacs but again imposed pre-disbursement conditions in sanctioning of Term Loan i.e to furnish the letter of intent/ commitment letter from MFPI/SFAC i.e Grant/ VCA in favour of the unit as under:-

(2)

"The disbursement shall be made only after receipt of additional venture capital of Rs.188.76 lacs from Small Farmers Agree Business Consortium (SFAC) & letter of intent from MOFPI" and it has been alleged that this condition has been effected afterthought i.e. after approval from the Chairman.

- 6) *It is alleged by the complainant that the whole matter was brought to the notice of Chairman J&K Bank but the grievance of the complainant remained un-attended and unaddressed. The Bank was requested for issuance of letter of credit favouring M/S Alfa Laval India Limited amounting to Rs.219.52 lacs already sanctioned by the bank. However the Bank failed to execute the documents and instead again re-imposed pre-disbursement conditions in the year 2012 with ulterior motives best known to the Bank strangely for construction of Bore Well in the year 2011-12, an amount of Rs.21,97,303.48 was released by the Bank to meet such expenses despite the fact there was no such sanction which smacks of foul play.*
- 7) *It is also alleged that J&K Bank in the above backdrop has projected wrong facts before Vigilance Organization as well as Ministry of Home Affairs Government of India with sole object to coerce the complainant to confer undue pecuniary benefit upon officers of the Bank. Thus the J&K Bank in violation of RBI norms and rules stopped Term Loan to the Company which played a vital role for non-implementation of the instant project and resulted huge recurring loss to the complainant/ company.*

I am directed to request you to kindly look into the whole matter and fact finding report may be furnished to this office at the earliest.

Yours faithfully,

M. W. W. W.
AIG(Hqrs),
State Vigilance Organization,
J&K Srinagar.