

केंद्रीयसूचनाआयोग
CENTRAL INFORMATION COMMISSION
बाबागंगानाथमार्ग
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File No : CIC/DP&PW/A/2017/121215

In the matter of:

Amit Kumar Gupta

...Appellant

Vs.

CPIO/Under Secretary
Govt. of India, M/o Personnel Public
Grievances & Pensions, D/o Pension & Pensions
Welfare, Lok Nayak Bhawan, Khan Market,
New Delhi – 110003.

...Respondent

Dates

RTI application	:	07.09.2016
CPIO reply	:	31.10.2016
First Appeal	:	29.11.2016
FAA Order	:	16.12.2016
Second Appeal	:	14.03.2017
Date of hearing	:	19.06.2018

Facts:

The appellant vide RTI application dated 07.09.2016 sought information on five points as under;

1. Information regarding details of pensioners of departments/PSUs covered under the provisions of the para 2.1 & 7(a) of DoP & PW O.M. F.No.3837/2016-P&PW (A) (ii) dated 04.08.2016 regarding revision of pension as per recommendation of 7th Pay Commission.

2. Whether the absorbee pensioners of BSNL, who fulfil the conditions mentioned in para 2.1 & 7(a) of DoP & PW O.M. F.No.3837/2016-P&PW (A) are covered by the said order and will their pension be revised from 01.01.2016 in terms of the above mentioned order.

3. Whether the absorbee pensioners of MTNL, who fulfil the conditions as mentioned in para 2.1 & 7(a) of DoP & PW O.M. F.No.3837/2016-P&PW (A) (ii) dated 04.08.2016 are covered by the said order and will their pension be revised from 01.01.2016 in terms of the above mentioned order and other related information.

The CPIO replied on 31.10.2016. The appellant was not satisfied with the reply of the CPIO and filed first appeal on 29.11.2016. The First Appellate Authority (FAA) disposed of the appeal by virtue of its order dated 16.12.2016. Aggrieved with the non-supply of the desired information from the respondent authority, the appellant filed second appeal under the provision of Section 19 of the RTI Act before the Central Information Commission on 14.03.2017.

Grounds for Second Appeal

The CPIO did not provide the desired information.

Order

Appellant : **Present**
Respondent : **Shri Subhash Chander,**
Under Secretary cum CPIO,
M/o Personnel Public
Grievances & Pensions

During the hearing, the respondent CPIO submitted that they had provided the requisite reply vide their letter dated 31.10.2016 and the First Appellate Authority (FAA)'s order dated 16.12.2016. He further submitted that latest reply dated 27.12.2016 was also provided. The reply furnished to the appellant is just and proper and hence the case might be dismissed.

The appellant submitted that he was not satisfied with the reply received from the respondent.

On perusal of the relevant case record, it was noted by the Commission that proper reply was not provided to the appellant. Proper reply should be provided.

Be that as it may, since no desired information was provided to the appellant in the present case, the respondent CPIO is directed to provide revised point wise reply as discussed above complete in all respects to the appellant as available on record (legible copies), free of charge u/s 7(6) of the RTI Act within 15 days of the receipt of the order.

The respondent CPIO is further directed to send a report containing the copy of the revised reply and the date of despatch of the same to the RTI appellant within 07 days thereafter to the Commission for record.

With the above observation/direction, the appeal is disposed of.

Copies of the order be sent to the concerned parties free of cost.

[Amitava Bhattacharyya]
Information Commissioner

Authenticated true copy

(A.K. Talapatra)
Deputy Registrar