

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/SB/A/2015/900104**

**Dated 24.10.2016**

**Appellant** : Shri Sanjay Nath Jha,  
C-114, CWPRS Colony,  
Kirkatwadi,  
Khadawasla, Pune,  
Maharashtra.

**Respondent** : The Central Public Information Officer,  
Department of Personnel & Training,  
North Block,  
New Delhi-110 001.

**Date of Hearing** : 24.10.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 29.01.2015

CPIO's reply : 13.02.2015

Second Appeal filed on : 26.06.2015

**ORDER**

1. Shri Sanjay Nath Jha filed an application dated 30.01.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Department of Personnel and Training (DoPT) seeking information on four points pertaining to pay fixation on grant of Non-Functional Upgradation to the officers of Organized Group A Services with reference to DoPT's Order No. AB-14017/25/2013-Estt(RR) dated 12.01.2015, including (1) whether this Order is valid for Group B who have been granted Non-Functional Upgradation in grade pay of Rs.5400 in PB-2 on completion of 4 years in the grade pay of Rs.4800/- in PB-2 and (2) is there any separate order by DoPT in this regard for Group B

officers/permitting/not permitting option for pay fixation on Non-Functional Upgradation, if yes, provide copy.

**2.** Shri Sanjay Nath Jha filed a second appeal dated 26.06.2015 before the Commission on the grounds that the CPIO refused to provide the information on the grounds that the information sought is clarificatory in nature; clarifications are not covered under the scope of RTI Act and that the CPIO is not required to consider/examine a specific/hypothetical situation and provide any clarification thereon. The appellant states that the FAA has incorrectly upheld the decision of the CPIO.

**Hearing:**

**3.** The appellant Shri Sanjay Nath Jha attended the hearing through video conferencing. The respondent Shri K. Prakasham, Under Secretary and CPIO, DoPT was present in person.

**4.** The appellant submitted that he had sought information regarding as to whether any order was issued by DoPT for Group B officers in relation to grant of Non-Functional Upgradation. The appellant further submitted that information on point nos. 2 to 4 of the RTI application was incorrectly denied on the ground that the same is clarificatory in nature.

**5.** The respondent submitted that point wise reply has been provided to the appellant vide letter dated 13.02.2015. Hence, no further information remains to be provided to the appellant.

**Decision:**

**6.** The Commission, after hearing the submissions of both the parties and perusing the records, observes that point wise information has been provided to the appellant. However, the Commission directs the respondent to provide specific reply in response to information sought in point no. 2 of

the RTI application to the appellant within a period of two weeks from the date of receipt of a copy of this decision.

7. With the above observations, the appeal is disposed of.
8. Copy of the decision be provided to both the parties free of cost.

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(V.K. Sharma)**  
**Designated Officer**