

CENTRAL INFORMATION COMMISSION

2nd Floor, August KrantiBhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/CC/A/2015/002242/SB

Dated 20.09.2016

Appellant : ShriRaghubir Singh,
129-A, Balaji Puram,
Shahganj, Agra,
Uttar Pradesh-282010.

Respondent : Central Public Information Officer,
O/o Commissioner Customs,
Central Excise & Service Tax,
Lucknow Zone,
7-A, Ashok Marg,
Lucknow-226 001.

Date of Hearing : 20.09.2016

Relevant dates emerging from the appeal:

RTI application filed on : 28.08.2014

CPIO's reply : 16.09.2014

First appeal filed on : 15.12.2014

FAA's order : 12.01.2015

Second Appeal filed on : 22.02.2015

ORDER

1. ShriRaghubir Singh filed an application dated 28.08.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), O/o Additional Commissioner (Cadre Control) Customs, Central Excise & Service Tax, Lucknow Zone, Lucknow seeking information on

three points pertaining to his promotion to the rank of Technical Assistant (TA) and benefit of promotion, including (1) details of pay fixation of promotee Sepoys/employees posted in the Lucknow Zone, (2) details of amount of arrear paid to each promotee Sepoy by their respective divisions where they are posted and (3) whether the order is correct or not.

2. The appellant filed the second appeal dated 22.02.2015 before the Commission on the grounds that against point No. 3, the CPIO informed him that Sepoy is not promoted to the grade of TA which is totally false and misleading and that the First Appellate Authority (FAA) disposed of his appeal without considering the matter of promotion and pay fixation and consequential benefits of the applicant by simply stating that the points were suitably replied by the CPIO. The appellant also states that the FAA has also alleged that he has raised a new query which was not in the original application, which is quite wrong and baseless. The appellant requested the Commission to issue necessary direction to the concerned authority to provide him the required information on pay fixation and consequential benefit on account of promotion.

Hearing:

3. The appellant Shri Raghbir Singh attended the hearing through audio conferencing. The respondent could not attend the hearing from NIC, Lucknow due to connectivity issue.

4. The appellant submitted that he was promoted to the rank of Lower Divisional Clerk (LDC) in 2002. However, he could not qualify the Computer Efficiency Test. The appellant further submitted that other Sepoys who were provided the grade of TA but had not qualified the Computer Efficiency Test were given the benefit of promotion, which has been denied to him.

Decision:

5. The Commission, after hearing the respondent and perusing the records, observes that point wise information had been provided to the appellant by the respondent vide letter dated 16.09.2014. The Commission, further observes that in point no. 3 of the CPIO's reply, the appellant was inter-alia, informed that promotion to the grade of TA from the cadre of LDC is made only after passing the Computer Efficiency Test. The Commission, also observes that the appellant is seeking redressal of his grievances, which is beyond the purview of the RTI Act. Hence, no further action is required in the matter.

6. With the above observation, the appeal is disposed of.

7. Copy of decision be given free of cost to the parties.

(Sudhir Bhargava)

Information Commissioner

Authenticated true copy

(V.K. Sharma)

Designated Officer