

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000026

Dated 24.10.2016

Appellant : Shri Mithilesh Kumar Singh,
101, Uma Apasrtment,
Jai Prakash Nagar, Booty More,
Bariyatu Road, Ranchi,
Jharkhand-834 009.

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

Date of Hearing : 24.10.2016

Relevant dates emerging from the appeal:

RTI application filed on : 08.08.2014

First Appeal filed on : 16.12.2014

Second Appeal filed on : 25.05.2015

ORDER

1. Shri Mithilesh Kumar Singh filed an application dated 08.08.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Department of Personnel and Training (DoPT) seeking information as to whether prior to the 6th Pay Commission, Direct Recruit Inspectors of Income Tax who did not appear in the Departmental Examination for promotion to the post of Income Tax Officer, were fit/eligible for Assured Career Progression (ACP) Scheme.

2. Shri Mithilesh Kumar Singh filed a second appeal dated 25.05.2015 before the Commission on the grounds that neither the CPIO provided the information nor the First Appellate Authority (FAA) responded to his first

appeal. The appellant requested the Commission to instruct the concerned Ministry/Department to provide the information to him at the earliest.

Hearing:

3. The appellant Shri Mithilesh Kumar Singh was not present despite notice. The respondent Shri S.K. Prasad Under Secretary and CPIO, DoPT was present in person.

4. The respondent submitted that the appellant was informed vide letter dated 15.09.2014 that information sought is in the nature of clarifications and, therefore, not covered under the definition of information as per Section 2(f) of the RTI Act. Hence, information sought could not be provided to him.

Decision:

5. The Commission, after hearing the submissions of the respondent and perusing the records, observes that information sought is clarificatory in nature and hence, not covered under the definition of “information “as defined in Section 2(f) of the RTI Act. Nonetheless, the Commission directs the respondent to provide a copy of the guidelines/rules governing the grant of ACP Scheme to the appellant within a period of four weeks from the date of receipt of a copy of this decision.

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

7. 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