

**CENTRAL INFORMATION COMMISSION**  
August Kranti Bhawan, Bhikaji Cama Place,  
New Delhi-110066

F. No. **CIC/YA/A/2016/000051**

Date of Hearing : **11.01.2017**  
Date of Decision : **01.02.2017**  
Appellant/Complainant : **Shri D K Jain, Delhi**  
Respondent : CPIO, Ministry of Health & Family Welfare, Delhi  
Through:  
Shri Satish Kumar, Sr. Accts Officer Safdarjung Hospital  
Shri K.C.Gautam  
Shri Arun Kumar Trehan  
**Information Commissioner : Shri Yashovardhan Azad**

**Relevant facts emerging from appeal:**

RTI application filed on : 10.12.2013  
PIO replied on : 07.01.2014  
First Appeal filed on : 08.06.2015  
First Appellate Order on : 09.07.2015  
2<sup>nd</sup> Appeal/complaint received on : 22.12.2015

**Information sought and background of the case:**

The appellant vide RTI application dated 10.12.2013 sought information under 2 points regarding order fixing his pay after giving financial benefit of having passed the D.C.T Exam in Feb. 1981. CPIO vide letter dated 07.01.2014 furnished point wise information as available on record. The appellant preferred first appeal. FAA vide order dated 09.07.2015 stated as under:

*“In this regard it is stated that said appeal could not be dealt with as the original application was already been returned. In this regard it is further elaborated that the information regarding questions such as how, why and when is not under purview of the Act, it provides only the information that field by the public authority.”*

Feeling aggrieved the appellant approached the Commission.

**Relevant facts emerging during hearing:**

Both parties are present and heard. The appellant states to have joined the MoH & FW as Junior Accountant in 1978. It is his grievance that he was not granted 4 increments upon qualifying DCT exam in 1981 and thus, the salary was fixed at a lower rate. It is his contention that his retiral benefits have not been calculated incorporating 4 advance increments. In this context, the appellant states to have sought information. Per contra, the respondents state that the grievance raised by appellant is illusionary. The CPIO states that the four advance increments were granted to officials upon passing Departmental Confirmatory Test and the net effect was to merely pre-pone the usual increments otherwise due on a yearly basis. Thus as per the contention of CPIO, a person having availed such four advance increments would be drawing same salary after four years which he would have drawn in the usual course. In this light, the CPIO states that the grievance of appellant is premised on a faulty reasoning. The CPIO states that appellant has already been informed that re-fixation does not have any effect on pension, DCRG and leave encashment etc. as this is the case of advance increments. The appellant was also asked to give an undertaking which is still awaited. The claim of arrears of advance increments could not be processed due to non-receipt of undertaking from the appellant. The respondent authority assured that on receipt of undertaking from the appellant, his case for arrears will be looked into & settled within a month.

**Decision:**

After hearing parties and perusal of record, the Commission finds the reply of CPIO in order. The Commission is not the forum to decide upon the disputes relating to conditions relating to service. However, the respondents shall be bound by their undertaking and would look into the grievance of the appellant.

The appeal is disposed of accordingly.

**(Yashovardhan Azad)**  
**Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

**(R.P.Grover)**  
**Designated Officer**

Copy to:-

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| <b>CPIO:<br/>Senior Accounts Officer, Principal<br/>Accounts Office, Ministry of<br/>Health &amp; Family Welfare, Room<br/>No. - 542-A, Nirman Bhawan, New<br/>Delhi-110108.</b>  | <b>Senior Administrative Officer,<br/>Office of the Medical<br/>Supreintendent, Safdarjung<br/>Hospital &amp; VMMC, Ansari Nagar,<br/>New Delhi-110029.</b> |
| <b>First Appellate Authority under<br/>RTI<br/>Controller of Accounts, Ministry<br/>of Health &amp; Family Welfare, Room<br/>No. -542-A, Nirman Bhawan, New<br/>Delhi-110108.</b> | <b>D K Jain<br/>House No. : K-36, Hauz Khas<br/>Enclave, New Delhi - 110016<br/>Delhi.</b>  |