

CENTRAL INFORMATION COMMISSION

August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F. No. **CIC/YA/C/2015/900058**

Date of Hearing : **20.02.2017**
Date of Decision : **20.02.2017**
Appellant/Complainant : Shri Sandip Kumar, Burdwan
Respondent : Bharat Coking Coal Ltd.
Through: Mr. S R Prasad, PIO
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

RTI application filed on : 24.10.2013
PIO replied on : 13.12.2013
First Appeal filed on : 27.11.2013
First Appellate Order on : -
2nd Appeal/complaint received on : 09.02.2013

Information sought and background of the case:

An RTI application dated 24.10.2013 was filed by the applicant seeking reasons for non payment of terminal benefits to Shri Bhuwaneswar Munda on his superannuation and other related issues. The information was sought in the form of 4 queries. PIO sent a letter dated 13.12.2013 furnishing therewith a copy of the information dated 07.12.2013 as received from the Project Officer, from available records. Being not satisfied with the response of public authority, the complainant filed a First appeal which remained unheard. Feeling aggrieved, the complainant approached the Commission.

Relevant facts emerging during hearing:

During the hearing the appellant was not present while the Respondent appeared. It was submitted that information sought by appellant relates to post retirement benefits accrued to his father, which have not been released on account of some complaints that the retired employee worked as an Imposter, with a false identity. Responding to the Commission's query the Respondent stated that the enquiry into the complaints have concluded now and the said Enquiry Report has now been put up before the concerned Authorities in charge of payment of retirement benefits. However since the

report is adverse hence the claims have not been disbursed as yet. The Commission is also in receipt of an email dated 18.02.2017 from the appellant whereby he has laid emphasis on procurement of information against the point 3, in particular.

Decision:

In view of the facts of the case, the Commission notes that though the case has been registered as a Complaint, in the interest of justice it ought to be treated as an appeal, such that the Appellant query is addressed. The case is accordingly converted into an appeal for proper adjudication. In terms of the last request received from the appellant vide email, the Commission directs the Respondent to furnish a copy of the Enquiry Report by which the payroll verification was conducted, within a week of receipt of this order.

(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:-