

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. CIC/ASMRF/A/2018/102252

Rajendra Singh Balmiki

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO, Directorate General,
Assam Rifles, Shillong

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

RTI : 23.05.2016	FA : 21.07.2016	SA : 10.01.2018
CPIO : 28.06.2016	FAO : not on record	Hearing : 09.10.2019

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Assam Rifles, Shillong seeking information on eight points pertaining to his salary, pensions and other benefits paid to him, including, inter-alia, (i) total amount of Differential Commutation that has been received by the appellant till now after his retirement as per various Pay Commissions as applicable from time to time; (ii) total amount of Additional Death/Retirement Gratuity received by the

appellant till now after his retirement etc. as per various Pay Commissions as applicable from time to time.

2. The appellant filed a second appeal before the Commission on the grounds that the information sought for was wrongly denied by the respondent by taking plea of being an exempted organisation under Section 24 Schedule II of the RTI Act. The appellant requested the Commission to direct the respondent to provide the information sought by him.

Hearing:

3. The appellant, Shri Rajender Singh Balmiki and the respondent, Shri S. M. Raza, CPIO, Captain, Assam Rifles, Shillong attended the hearing through video conferencing.

4. The appellant submitted that he had sought information with respect to his salary, pensions and other benefits paid to him. However, the said information has been incorrectly denied on the grounds that Assam Rifles has been declared an exempt organization under Section 24(1) of the RTI Act, 2005.

5. The respondent submitted that the appellant was informed vide letter dated 28.06.2016 that Assam Rifles has been declared an exempt organization under Section 24(1) read with the Second Schedule of the RTI Act, 2005. Further, the information sought by the appellant does not pertain to allegations of corruption and human rights violations. The provisions of the RTI Act are, therefore, not applicable in this matter. In view of this, the information sought cannot be provided to the appellant. The respondent, however, asserted that the appellant was informed that the information sought for was provided to him vide letter no. I.36011/UPAO/Rev-Cell/2016/1720 dated 14.06.2016.

Decision:

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that in this case information has been sought from an organization to which the RTI Act does not apply as per Section 24(1) of the RTI Act. Further, the information sought does not pertain to allegations of corruption and human rights violations. Hence, information cannot be provided to the appellant.
7. With the above observations, the appeal is disposed of.
8. Copy of the decision be provided free of cost to the parties.

Sd/-

Sudhir Bhargava (सुधीर भार्गव)

Chief Information Commissioner (मुख्य सूचना आयुक्त)

दिनांक / Date 10.10.2019

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. S. Rohilla (एस. एस. रोहिल्ला)

Dy. Registrar (उप-पंजीयक)

011-26186535 / do.cicsb@cic.nic.in

Addresses of the parties:

1. The First Appellate Authority (FAA)
Directorate General, Assam Rifles,
Shillong - 793010
2. The Central Public Information Officer (CPIO)
Directorate General, Assam Rifles,
Shillong - 793010
3. Shri Rajendra Singh Balmiki

