

**Central Information Commission**  
**Appeal No. CIC/WB/A/2007/00894-SM dated 11.06.2007**  
**Right to Information Act-2005 – Under Section (19)**

**Dated 29.10.2008**

**Appellant – Shri K. S. Bakshi**

**Respondents – O/o Controller General of Defence Accounts, R. K. Puram, New Delhi, MOD**

**ORDER**

This appeal has been filed by Shri K. S. Bakshi, ex-office Superintendent, against the order of the First Appellate Authority. The appeal dated 11.06.2007 was received in the Commission on 23.06.2007 and was transferred to us in September, 2008. The brief facts of the case are as under:-

**Facts of the Case:-**

2. Shri Bakshi, in his application dated 12.10.2006, had requested the CPIO in the office of the CGDA, New Delhi to provide information on whether or not the Revised Pension i.e. Rs. 925/- from 01.01.1986 was required to be recomputed w.e.f. 01.01.1986 to 31.12.1995 on notional basis. In response, the CPIO in his letter dated 07.11.2006, informed the Applicant that his pension was already calculated by recomputing it as on 01.01.1986 after notional fixation of pay as on 01.01.1986, and was, therefore, not required to be recomputed again w.e.f. 01.01.1986 in the manner asked for by him, though the notional pension so arrived at, based on the notional fixation of pay, was required to be consolidated as on 01.01.1996 as per the relevant Government orders. The CPIO also quoted the various orders issued by the office of the CGDA in respect of the same to the Applicant.

3. It appears from the correspondence placed in the file that the Appellant went on seeking clarifications relating to the fixation of his pension. The CPIO in his letters dated 24.01.2007, 07.03.2007, 20.04.2007, 26.04.2007 stated that he was required to provide information available with the public authority and not give interpretation of rules or comments on the issue as the desired information had already been provided and no further action could be taken on his application. However, if the Applicant was not satisfied with the information provided to him, he could approach the Grievances Officer. Not satisfied with the reply given by the CPIO the Applicant filed the first appeal on 09.05.2007 with the Appellate Authority. The appeal was heard by the Appellate Authority and an order was passed on 29.05.2007 stating as under:-

- (i) Similar question was raised by the Appellant in his representation dated 13.10.2006 which was replied to by the CPIO vide letter no. AN/III/3053/ROI/CPIO/KS Bakshi dated 07.11.2007.
- (ii) However, with reference to appeal it is reiterated that revised pension i.e. Rs. 925/- as on 01.01.1986 calculated @ 50% of average emoluments (Rs 1850/- pay fixed notionally as on 01.01.1986) is not required to be recomputed again w.e.f 01.01.1986 under existing rules/orders.
- (iii) It is also intimated that the position of revision of pension under 5<sup>th</sup> CPC w.e.f 01.01.1996 as per existing rules/orders has already been clarified to Appellant time and again in clear cut terms by the Audit-Pension section of Hqrs office. In this connection letter of 07.03.2007 refers.

#### **DECISION**

4. On perusal of the correspondence available in the file, it seems that the information required by the Appellant/Applicant has been provided to him by the

CPIO/First Appellate Authority. A public authority is mandated under the RTI Act to supply information held by it and not to offer comments or clarification regarding it.

4. Normally, in view of the fact that the CPIO has furnished the information sought by the Applicant, we would have rejected the appeal outright. Nevertheless, in view of the inability of the Appellant to comprehend the information provided to him, we advise the Appellant to visit the CPIO or the First Appellate Authority, at their mutual convenience, and understand the details from those authorities. We also direct the CPIO that he should contact the Appellant and assist him in understanding the information already supplied to him in 10 (ten) working days from the receipt of this order and report us compliance.

5. The Appeal is, thus, disposed off. Copies of this order be given free of cost to the parties.

Sd/-  
**(Satyananda Mishra)**  
**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.

Sd/-  
(Vijay Bhalla)  
Assistant Registrar