

No-45026/26/2011/Pers-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantaralaya
North Block, New Delhi-01

Dated the December, 2012

To
Shri Anil Kumar,
B-166, Town Ship Colony,
NTPC Sipat,
P.O Ujwal Nagar,
Distt. Bilaspur,
Chattisgarh, Pin- 49555

S.No. 95 (I)

SUB :- Your RTI application dated 13.10.2013.

Sir,

Please refer to your RTI application dated 13.10.2013 seeking information under RTI ACT, 2005.

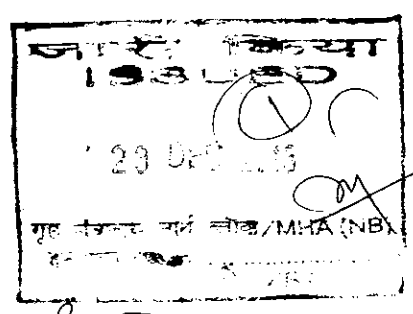
2. A copy of MHA Communication No. II-27012/01/CF-115123/2012-PF.I dated 17.12.2013 is enclosed herewith.
3. The Appellate Authority in this Regard is Dr. N.S. Kalsi, Joint Secretary (P-II), Room No. 171-B, MHA, North Block, New Delhi-01.

Yours faithfully,

(HARISH CHANDER)
DEPUTY SECRETARY(PERS-I) & CPIO

Copy to :-

1. PA to Dy. Secretary (Pers-I).
2. IT Cell, MHA - for uploading in MHA website in terms of opt O.M dated 15.04.13 related to RTI



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II-27012/01/CF-115123/2012-PF.I
Ministry of Home Affairs
Police-II Division
(PF.I Desk)

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Dated 17/12 Dec, 2013

Sub: Application of Shri Anil Kumar under RTI Act, 2005.

This is with reference to MHA ID Note No. 45026/26/2011-Pers-I dated 09.12.2013 under Right to Information Act, 2005 filed Shri Anil Kumar.

2. In the instant case, the applicant has sought basis & grounds/justification/ reasons and action to be taken on grade pay and upgradation/degradation of posts of Para Military Forces during 5th CPC & 6th CPC.

3. In this regard, it is mentioned that as per DoPT vide O.M No.1/7/2009-IR dated 20.05.2011, "The definition of information cannot include within its fold answers to the question "why" which would be same thing as asking the reason for a justification for a particular thing. The public information authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justification are matter within the domain of adjudicating authorities and cannot properly be classified as information."

4. However, reply on some specific questions asked by the applicant in RTI application is given as below:

S. N.	Information asked	Reply
(i)	How many posts have been degraded in 6 th Central Pay Commission	The applicant has not asked for any specific documentary information with regard to degradation of pay in 6 th CPC as requested in the RTI application. No order indicating degradation of posts have been issued by PF Wing.
(ii)	What should be the actual Salary of a newly appointed Sub-Inspector in CAPFs in 6 th Central Pay Commission in case his basic pay is Rs.9300 and grade pay is Rs.4200? In this regard, on this subject whether, MHA has received any order issued by DoPT, if yes, provide the copy of the same.	In this question applicant has sought information on a question putting some condition i.e what should be the salary of Sub-Inspector in case he is appointed as a new recruit at basic pay of Rs.9300 with grade pay Rs.4200. In this regard also it is stated that no specific document/information has been sought by the applicant.

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(iii)	If any order issued by DoPT till date by which pay of Sub-Inspectors may be fixed. Please provide copy of the same.	Applicant has sought an order issued by DoPT and has requested the reply from DoPT. The data base of the orders issued by DoPT is maintained in the record of DoPT. In this regard, it may also be stated that the documentary information sought by applicant has no specific reference.
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5. It is also stated that the information sought by the applicant are in the form of justification and hypothetical condition, that does not come under purview of information under RTI Act. Further no specific document/information has been sought by the applicant and the data base of orders issued by other departments is not maintained in MHA.

6. In view of the above, applicant may be informed accordingly.

MdP
(Madhukar Pandey)
Section Officer
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Fax : 23092167
e-mail : sopf1@nic.in

✓ To: DS (Pers-I)