

J&K Institute of Management, Public
Administration & Rural Development

Regional Campus: Sidhra, Jammu – 180017.

No:IMPA/Accts/RTI/2015/382/ 3247-51

Dated : 19/01/2016

Order under Section 7(1) of the J&K RTI Act, 2009
First Appellet Authority

Mr. K.R. Tak C/o Shri Krishan Lal Saraf, Jeweller, Chowk Chabutra, Jammu has made an RTI Appeal received by the undersigned. In furtherance of hearing the appeal on 18.11.2015 and in light of discussions, it was agreed that the following information may be provided in addition the matter be taken up with the GAD for its disposal:

S.No.	Information Sought	Information Supplied/ Response
(i)	Instead of furnishing copies of U.O and correspondence whereunder J&K IMPA & RD sought opinion regarding applicability of 30% Incentive on 6 th CPC, PIO furnished a copy of U.O No. IMPA/DG/PS Dated 07.03.2014 which is not required information annexed as A.	No such copies of U.O and correspondence are available in the record. The original case file vide U.O No.IMPA/DG/PS dated 07.03.2014 was sent to GAD for want of opinion regarding payment of 30% Incentive in favour of Mr.K.R.Tak.
(iii)	No copy of opinion tendered on my reference has been supplied to me.	Since no opinion has been received by the Institute till date despite issuance of reminder to GAD.
(iv)	Instead of intimating me action taken on opinion on my reference, it is replied that issued was taken with GAD vide U.O annexed A, but no piece of opinion was tendered by GAD. Reply to S.No. (iv) has knowingly been given as incomplete and misleading one. U.O annexed as A is reply to queries raised by GAD. Note para 85 (iv) of the said U.O is suggestive of the fact that GAD is already in possession of opinion on my reference, but no effort has been made by Institute to procure a copy of opinion.	The Institute has been perusing the matter with GAD for early disposal of the case (Annexure A & B).
(ix)	Reply in respect of Ms.Sunita Anand, KAS is evasive one. My specific point is compliance or, violation of Government Order No.238-F of 2011 Dated 30.09.2011 in respect of payment of 6 th CPC arrears w.e.f 01.06.2009 to 30.06.2009 and w.e.f 01.11.2008 to 31.05.2009 in respect of Ms.Sunita Anand, KAS and Ms.Sheela Bhagat, KAS respectively. No copies of payment of 6 th CPC arrears for the said period was provided to me.	The Institute has not paid any arrears @ 30% incentive in favour of Ms.Sunita Anand, However, the incentive @ 30% had been drawn in her favour along with monthly salary (Copy annexed as C- 01 leaf) & in respect of Ms.Sheela Bhagat KAS, the copy of 30% arrears is enclosed as annexure D. (1) leave.

o/c
M.S.
18.01.2016

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18.01.2016

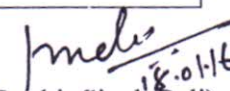

18.01.2016

(x)	Reply is misleading and incorrect one. Reference to Rule 2.41 of J&K Financial Code Volume -I and non- indication of arrears in opinion on the reference of Mr.Khanday, IAS is not at all applicable in my case. My specific point is applicability of opinion to my case being identical issue. Pertinent here that Shri. Pankaj Jain, IAS, the then DG was paid incentive arrears on 6 th CPC for the period from 05.03.2007 to 30.04.2007, whereas, I have been denied analogy of opinion. Such a piquant situation is in sharp contrast to reply.	The Information is Annexed as E (02 leaves). However, for settlement of issue the Institute has already taken up matter with GAD to appraise the Finance department and clarification of rule position thereof.
xiii (c)	Reply to S.No. xiii (c) has been responded by twisting facts. It is not a question of submission of documents for settlement of superannuation pension. There was no dispute of my pension. It is specific case of taking cognizance of letter of Senior Accounts Officer (of the Office of Principal Accountant General (A & E) J&K Jammu) where under she had advised Ms.Sunita Anand KAS making available forms A, B and C after conduct of Medical Examination by Standing Medical Board for authorization fo commuted value of Pension. Both the offices are situated in Jammu city. Mail delivery hardly takes one or more days to reach the destination. Ms.Sunita Anad KAS, then Dy. Director stated among other things that letter dated 13.08.2010 from the office of Principal Accountant General (A&E) J&K, Jammu was received by her on 13.09.2010, i.e after one month. Her letter dated 24.09.2010 is annexed as D. I volunteered to give her a copy of letter endorsed to me, but she refused to take cognizance of letter endorsed to me. After I turned 60, she took up the matter of conduct of Medical Examination with Principal GMC & HG on 08.10.2010.	In terms of Rule of Financial norms the pension paper of the officers / officials shall be submitted to the AG Office six months prior to his / her superannuation. But in the instant case it has been observed that as communicated vide your letter No. Nil dated 15.04.2010, (copy enclosed) the case has been belatedly submitted as per your request which is one of the cause of delay in submission.

Encls - 07 leaves,

Copy to :-

1. PS to VC & DG for information of Vice Chairman & Director General, J&K IMPA & RD.
2. Deputy Director (PIO), J&K IMPA & RD, Regional Centre, Jammu.
3. Systems Administration for uploading above letter on website.
4. File concerned.


 (Ranbir Singh Bali)
 Financial Advisor /CAO
 (Ist Appellate Authority)

 18.01.16