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संबंधी नियम-पुस्तिका
MANUAL ON RIGHT TO
INFORMATION ACT, 2005

(31.08.2011 तक परिशोधित)
(Revised upto 31-08-2011)



कर्मचारी राज्य बीमा निगम

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FOREWORD TO THE SECOND EDITION

The Right of Information Act (RTI) came into force on 12 Oct, 2005. This single piece of legislation has given every citizen the power to seek and receive any information, barring a few exceptions of classified nature, and has changed the existing equation between those who govern and the governed. It has empowered the citizens to know the 'what' and 'how' of all Governmental action thereby promoting openness, transparency and accountability in the working of all public authorities as never before.

The successful implementation of the Act is directly proportional to the degree of commitment at all levels. It would also depend upon the understanding of the beneficial effect of this Act on good governance.

Dissemination of information about the ESI Act, rules and procedures is a pre-requisite for enabling better understanding. As a statutory body under the Government of India, it is mandatory for ESIC to implement the RTI Act, in both letter and spirit.

The revised edition of the manual on RTI in ESIC is an updated compilation of all relevant information about ESIC set out in 17 chapters for the benefit of all citizens in general and the stakeholders of ESIC in particular. The guide on Right to Information issued by DOPT, Govt. of India and a few orders of High Courts and the CIC and their implications have been added in the new edition to make it more comprehensive.

I hope that the publication of this Manual will enable all stakeholders to have a better understanding of ESIC.

Dr. C.S. Kedar
Director General, ESIC

PREFACE TO SECOND EDITION

The Right to Information Act, 2005 has been implemented in all offices in ESI Corporation including ESI Hospitals and Dispensaries which are directly run by the Corporation with effect from 12.10.2005. Central Public Information officers and Appellate Authorities have been designated in these offices to provide information to the citizens. Keeping in view the directions issued by the CIC, it has been stressed upon the field units that providing information is the rule and its denial an exception. To fulfill our obligations under section-4, a manual on RTI in ESI Corporation was published immediately after coming into effect of the RTI Act. The manual has now been updated and it incorporates the office memoranda on the subject "Guide on Right to Information Act, 2005" issued by DOPT Govt. of India and gist of some important orders of Hon'ble High Courts and the CIC besides information as envisaged under section-4 of the Act.

I hope the manual will be helpful to all concerned as also to CPIOs/Deemed CPIOs who discharge statutory functions under the RTI Act.

Suggestions for further improvement of the manual are welcome.

B.K. Sahu
Insurance Commissioner

CHAPTER-I

PARTICULARS OF ESI CORPORATION, ITS FUNCTIONS AND DUTIES

AN INSIGHT INTO ESI SCHEME

Promulgation of Employees' State Insurance Act, 1948 (ESI Act), by the Parliament was the first major legislation on Social Security for workers in independent India. It was a time when the industry was in a nascent stage and the country was heavily dependent on an assortment of imported goods from the developed or fast developing countries. The deployment of manpower in manufacturing processes was limited to a few select industries such as jute, textile, chemicals etc. The legislation on creation and development of a foolproof multi-dimensional Social Security System, when the country's economy was in a very fledging state, was obviously a remarkable gesture to address the socio-economic needs of the workforce, though limited in number and geographic distribution. India, notwithstanding other pressing compulsions of self reliance and self sufficiency, thus, took the lead in providing organised social protection to the working class through statutory provisions.

The ESI Act-1948 encompasses certain health related eventualities that the workers are generally exposed to such as sickness, maternity, temporary or permanent disablement, occupational diseases or death due to employment injury, resulting in loss of wages or earning capacity, total or partial. Social security provisions made in the Act to counterbalance or negate the resulting physical or financial distress in such contingencies, are thus, aimed at upholding human dignity in times of crises through protection from deprivation, destitution and social degradation while enabling the society the retention and continuity of a socially useful and productive manpower.

The ESI Scheme is based on the principle of 'pooling of risks and resources' in which every contributor, at any given point of time, emerges as a beneficiary or a benefactor and society, at large, is the net gainer. The role of employers, in particular, remains pivotal to the success of the scheme, be it registration of the factories/establishments, registration of employees, regular payment of contribution, facilitating inspections and timely action to ensure steady flow of benefits to the employees.

ORGANISATION

At the national level, the ESI Scheme is administered by a statutory body called the "Employees' State Insurance Corporation" set-up under Employees' State Insurance Act, 1948. The Corporation comprises of representatives of employees, employers, the Central Government, State Governments, medical profession and the Parliament. A Standing Committee, constituted from amongst the members of the Corporation acts as the executive body. The Medical Benefit Council, a Statutory body, advises the Corporation on matters related to the provision of medical care to the beneficiaries of the Scheme.

The Director General, is the Chief Executive of the Corporation and is also an ex-officio member of the Corporation and its Standing Committee.

At the State level, Regional Boards have been constituted in each State and at the grass-root level, Local Committees have been formed as advisory bodies for smooth functioning of the scheme. The Regional Boards and the Local Committees have representation, both from employers and employees.

For day-to-day administration, the Corporation has its Central Headquarters at New Delhi, besides Regional Offices and Sub-Regional Offices in the States and over 611 Branch Offices and 197 Pay Offices at industrial centres throughout the country. The medical care in the States is administered by respective State Government concerned on cost sharing basis except in the National Capital Territory of Delhi and NOIDA area in Uttar Pradesh, where the medical facilities are being provided directly by the Corporation.

The Corporation has, over the last few years, also set up four well equipped Zonal Occupational Disease Centres at Kolkata, Delhi, Chennai, and Mumbai. The entire expenditure on these specialised Centres are borne by the Corporation and are being administered directly. Corporation has also taken over one hospital in each state to be run as Model Hospital.

COVERAGE

The ESI Act 1948, in the first instance, applies to all non-seasonal factories employing 10 or more persons in its premises or precincts. The provisions of the Act are implemented area-wise in stages. The Act contains an enabling provision under which an "Appropriate Government" is empowered to extend the provisions of the Act to other classes of establishments-industrial, commercial, agricultural or otherwise. Under these provisions most of the State Governments have extended the provisions of the ESI Act to the following classes of establishments.

- i) Shops, hotels, restaurants, cinemas including preview theatres, road motor transport agencies and newspaper establishments, etc. employing 20 or more persons.
- ii) Beedi manufacturing units in the implemented areas employing 10 or more persons.
- iii) Slate pencil manufacturing units employing one or more employees have also been brought under the coverage of the Act in a few States.
- iv) Private Medical/educational institutions, employing 20 or more persons.

Employees of the aforesaid factories and establishments in receipt of wages not exceeding Rs. 15,000/- per month (w.e.f. 01.05.2010) are covered under the Act. Disabled persons, working in factories and establishments where ESI Act applies, drawing wages upto Rs. 25,000/- per month are also coverable under ESI Act w.e.f. 01.04.2008. About 4.06 Lakh factories and establishment in 787 industrial centres have been brought under the coverage of the ESI Act benefitting about 1.43 Crore insured persons and their dependant family members.

ESI MEDICAL SCHEME

Medical Care set up

Medical care is provided through a network of ESI Hospitals, ESI Dispensaries and diagnostic centres as well as through tie-up arrangements with other medical institutions. The medical care is, by and large, administered through the respective State Governments except in Delhi & Noida and Model Hospitals in each State which are run directly by the Corporation.

Benefits and infrastructure for delivery of benefits

The Scheme provides medical care and cash benefits in the contingencies of sickness, maternity, disablement and death due to employment injury. Under the scheme medical care is also provided to families of the insured persons. Various benefits available are medical benefit, maternity benefit, sickness benefit, disablement benefit (temporary & permanent), Dependents benefit and funeral expenses.

SYSTEM & LEVEL OF MEDICAL CARE SERVICES

ESI Scheme is providing medical care under different systems depending upon the requirements of the region. The various systems prevalent are:-

- Allopathy
- Ayush which include Ayurveda, Sidha, Unani, Homeopathy and Yoga

ESI Scheme provides all three different levels of care i.e. Primary care, Secondary care and Tertiary care (Super specialty care). Primary care is provided through dispensaries & panel clinics. Secondary care is provided through diagnostic centers and hospitals. Tertiary care is provided by entering into tie up arrangement with specialized private and government diagnostic facilities and hospitals,

MEDICAL BENEFITS AVAILABLE

ESI scheme is providing full medical care to its beneficiaries which include preventive, promotive, curative and rehabilitative services.

PROVISION OF MEDICAL CARE

Medical care services to beneficiaries are provided by two ways:-

- Direct Provision through ESI schemes own network of dispensaries, diagnostic centers and hospitals.
- Indirect Provision through tie-up with private clinics (panel system), diagnostic centers and hospitals.

DIRECT PROVISION

The direct system functions through a network of dispensaries (1402), ISM Units (44), Hospitals (149), and annexes (42). As on 31.3.2010, the Corporation has commissioned 23923 beds in 149 ESI Hospitals, 849 beds in 42 Hospital annexes and reserved 2967 beds in other hospitals to provide indoor treatment (total 27739 beds). In addition medical care services are also provided through Mobile Dispensaries and Employers utilization dispensaries. The services of mini dispensaries, mobile dispensaries and employer's utilization dispensaries are also utilized in places where the establishment of full time dispensaries is not justified / possible due to various reasons.

INDIRECT PROVISION

A total of 1540 panel doctors are engaged in providing primary medical services through the indirect system. Under the panel system, the clinics of Registered Medical Practitioners are approved for providing outpatient care. There is a prescribed procedure to empanel such clinics. In establishing arrangements for outpatient care, due consideration is given to the distance to be covered, density of insurable population etc. In addition the services not available in ESI hospitals and Diagnostic centres and tertiary (superspeciality) medical care services are provided through tie up with reputed private / govt. medical institutions.

SCALE OF MEDICAL BENEFIT

Full Medical care is provided as per the need of the patient irrespective of the amount of contribution. In CGHS reimbursement & treatment is provided as per capping.

MEDICAL BENEFIT

As per the provision of Section 58 of the ESI Act, State Govt. is the designated agency for delivery and administering medical care. Accordingly the medical care services under ESI scheme in the states is provided by the respective State Government except in Delhi and Noida where the medical care services are provided directly by ESI Corporation.

SHARING OF MEDICAL CARE EXPENDITURE

For providing a uniform scale of medical care, the Corporation, as per the provisions of Section 58(3) of the Act, enters into an agreement with the State Govts. and the expenditure on medical care is reimbursed within the prescribed ceiling. The ceiling is revised from time to time which at present is Rs. 1200/- per IP family unit per annum w.e.f. 1.4.2009. Out of this, Rs 700/- is earmarked for administration and Rs. 500/- for other expenses (i.e. drugs and dressings, super specialty etc.). In addition, there is a provision to reimburse actual administrative expenditure to the State Governments on fulfillment of certain conditions. Besides this, an additional incentive of Rs. 50/- per I.P. per family unit is being given to the State Govt. on fulfilling stipulated terms and conditions for improvement of medical scheme.

In addition, ESI Corporation is incurring expenditure outside the ceiling fully and on shareable basis on various heads.

NEW INITIATIVES BY ESIC FOR IMPROVING AND AUGMENTING MEDICAL CARE SERVICES

i) REMOVING DIFFICULTIES FACED IN FUNCTIONING DUE TO DUALITY OF CONTROL

ESI Corporation has taken number of decisions for over coming difficulties being faced in the delivery of medical care services through ESI Hospitals and dispensaries due to duality of control. The various actions taken are :

- a) REVOLVING FUND SCHEME: - To ensure supply of drugs and dressings and repair & maintenance of equipments, ESIC has set up revolving fund with the consent of state government. Under this scheme the payment is made by ESIC against the valid sanction of the state government out of the money kept with the State Medical Commissioner office of ESI Corporation.
- b) MODEL HOSPITAL SCHEME: ESI Corporation has taken a decision to set up one hospital in each State as Model Hospital. At present, ESIC has set up Model Hospital in 18 States (annexure). These hospitals are being up graded as per norms and standards laid down by ESI Corporation. The expenditure on Model Hospitals is fully borne by ESI Corporation.
- c) TAKING OVER OF ESI MEDICAL SCHEME IN THE STATES BY ESI CORPORATION: - ESI Corporation has written to the State Govts. to give their consent for handing over the ESI Scheme to ESI Corporation. Four states i.e. Madhya Pradesh, Himachal Pradesh, Bihar , Maharashtra and Meghaalya have given consent for handing over the scheme to ESI Corporation.

ii) ZONAL SUPER SPECIALITY HOSPITALS :

Four Super specialty hospitals have been proposed to be set up in four zones, i.e., south, East, West and North zone. In the first phase, super specialty hospital at Sanath Nagar, Hyderabad for South Zone has been commissioned.

iii) CENTRAL RATE CONTRACT FOR ALLOPATHIC & AYURVEDIC DRUGS:- To ensure uniformity in the supply of good quality drugs, ESIC is formulating Rate Contract for drugs following bidding procedure and strict eligibility criteria's which is provided to the states for adoption.

iv) NORMS AND STANDARDS:- ESIC has formulated norms and standards for staff and equipments for smooth functioning of hospitals and dispensaries.

v) DECENTRALIZATION:- Powers have been delegated to the State Medical Commissioners for sanction of equipments, release of advance on account payments and repair & maintenance of equipments.

vi) OCCUPATIONAL DISEASE CENTRE

ESI Corporation has set up five occupational disease centre at Basaidarapur (New Delhi), Chennai (Tamil Nadu), Kolkata (West Bengal), Mumbai (Maharashtra) and Indore (Madhya Pradesh) for prevention and early detection and diagnosis of occupational diseases amongst ESI beneficiaries. Special emphasis is being given for prevention of occupational diseases in insured persons working in hazardous industries.

vii) PREVENTIVE HEALTH SERVICES

To strengthen promotive and preventive health services under ESI medical scheme, ESI Corporation has allocated a separate budget of Rs. 20/- per IP family unit per annum. This will help in prevention of diseases like diabetes, hypertension, HIV /AIDS and also promote healthy life styles amongst beneficiaries.

viii) EXPENDITURE ON SUPER SPECIALTY TREATMENT

To provide cashless and hassle free medical services, ESI Corporation has taken a decision for bearing the super specialty expenditure directly. For this tie up arrangements have been made directly by ESIC with reputed and Govt. / private hospitals for super specialty investigations and services.

ix) IVF TREATMENT

ESI Corporation is providing artificial re-production and IVF treatment facilities to insured persons.

x) EXPANSION OF AYUSH FACILITIES

ESI Corporation is expanding provision of AYUSH facilities in ESI Hospitals and dispensaries as per the local requirements of the area. For promoting the same, the total expenditure on provision of AYUSH facilities in the first five years is fully borne by ESI Corporation.

xi) PATIENT SATISFACTION SURVEY

ESI Corporation has under taken patient satisfaction survey in ESI Hospitals by independent agencies and is taking various actions based on the findings of the survey for improving the medical care facilities in ESI Hospitals.

FINDINGS OF CLIENT SATISFACTION STUDY IN 21 ESIC RUN ESI HOSPITALS AND 2-3 NEARBY ESI DISPENSARIES CARRIED OUT BY THE INTERNATIONAL INSTITUTE OF HEALTH MANAGEMENT RESEARCH, NEW DELHI IN 2008-09

OPD:

80% respondents use OPD facilities because of free treatment, medicines nearness, quality and availability of referral and infrastructure facilities. On an average about 70% expressed satisfaction with registration facilities, facilities in waiting areas, behavior of providers, support services and quality of care.

IPD:

81% of respondents use IPD facilities due free treatment, medicines, nearness, affordable cost and infrastructure facilities. 75% and above intended to use the ESIC Hospital services in future also due to available facilities, accessibility, quality of care and personnel relations/acquaintance with hospital staff.

Dispensary Services:

79% use dispensary facilities due to free treatment, nearness, good quality treatment and affordable cost. 86% intended to use the same in future also.

xii) GRADING AND ISO CERTIFICATION OF ESI HOSPITALS AND DISPENSARIES

ESI Corporation is getting its hospitals and dispensaries graded by reputed organizations. Further action has been initiated for getting ISO certification in respect of hospitals and dispensaries.

ISO Certification obtained for Hqrs Office and 13 ROs/SROs. All the ESIC run hospitals have been graded by outside agencies ie. ICRA and Ma foi Consulting.

xiii) STARTING OF MEDICAL EDUCATION INSITUTION

As a part of initiative for overcoming the shortage of medical manpower and improving the services in ESI Hospitals, ESI Corporation has under taken a project for starting medical colleges, nursing colleges, dental colleges and training school for other para medical staff in ESIC/ESI Hospitals. Six PGIMSRs have already started functioning in Kolkata, Delhi, Mumbai (2), Chennai and Bangalore.

xiv) CHANGE IN THE PATTERN OF REIMBURSEMENT OF MEDCIAL CARE EXPENDITURE TO THE STATES

ESI Corporation has taken a decision to reimburse the administrative expenditure incurred by the State Govt on actual basis without ceiling subject to fulfillment of certain conditions. This

will ensure State Govts. to post the medical and para medical staff in ESI Hospitals and dispensaries as per norms and standards of ESI Corporation and will help in providing proper medical care facilities to ESI beneficiaries.

xv) HOSPITAL DEVELOPMENT COMMITTEES

Hospital Development Committees have been constituted in all ESI Hospitals and have been given adequate administrative and financial powers for taking decisions for improvement in medical care facilities.

xvi) MODERNIZATION AND UPGRADATION OF INFRASTRUCTURE

- It has been decided by the Corporation to modernize/upgrade/expand all ESI hospitals in a phased manner and to bring them at par with private corporate hospitals. The bench mark fixed is that all treatment (including diagnostic) is made available to Insured Person in-house and he is referred outside only as an exception.
- Modernisation/upgradation/expansion of 29 ESI Hospitals at various locations is under implementation.

xvii) HIV/AIDS PREVENTION & FAMILY WELFARE

ESIC has undertaken a programme to strengthen the family welfare and HIV / AIDS control activities under project Sankalp in association with M/S HLL Ltd in the state of Karnataka and Uttar Pradesh.

xviii) PROVISION OF PRIMARY AND SECONDARY CARE SERVICES BY ESIC DIRECTLY

ESI Corporation has decided to provide primary and secondary medical care services in the areas directly where the concentration of IPs is more than 5000 and there is no dispensary within 8 kms (5 kms in hilly areas) and where concentration of IPs is 25000 (15000 in hilly areas) and there is no hospital within 25 kms. This facility will be available till the ESI establishes its own hospital and dispensary.

xix) PROVISION OF SUPERSPECIALTY SERVICES FROM ANY OF THE TIE UP HOSPITAL OF ESIC ANYWHERE IN THE COUNTRY

Patients can avail super specialty treatment from any of the networked / tie up hospital of ESIC (7900) as per his choice anywhere in the country.

xx) COMPUTERISATION OF FUNCTIONS OF HOSPITALS & DISPENSARIES

ESIC has taken up computerization of all its functions both on Insurance and medical side including hospitals and dispensaries. The IT enablement of functions will also help in analyzing the data to effectively address the challenges before ESI Corporation.

xxi) Opening of surplus capacity in ESI Hospitals to non IPs on user charges.

II. CASH BENEFITS

(a) Sickness Benefit

(Section-49 read with Rule-55 of ESI Central Rules):

Sickness Benefit is a periodical payment made to an I.P. for the period of certified sickness after completion of 9 months of Insurable Employment. A person shall be qualified to claim Sickness Benefit if contribution in respect of him was paid/payable for not less than 78 days in the corresponding contribution period. It is not paid for the first two days of certified sickness. It can be availed for maximum of 91 days in any two consecutive benefit periods.

After exhausting the Sickness Benefit payable upto 91 days, an I.P. if suffering from T.B., Leprosy, mental or malignant diseases or any of the certified long term diseases, is entitled to extended Sickness Benefit for a further period of 124 days/309 days/730 days provided, he has been in continuous insurable employment for a period of 2 years and fulfils the contributory conditions as per Corporation's resolution.

(b) Enhanced Sickness Benefit

This benefit is payable to insured persons in the productive age-group for undergoing sterilization operation viz. Vasectomy/tubectomy. Duration of enhanced Sickness Benefit is upto 7 days in the case of vasectomy and upto 14 days in the case of tubectomy from the date of operation or from the date of admission in the hospital. Contributory conditions for receiving the benefit are same as normal Sickness Benefit.

(c) Maternity Benefit

(Section-49 of ESI Act read with Rule-56 of ESI Central Rules).

Maternity Benefit is paid to an I.W. in case of confinement or miscarriage or Sickness arising out of pregnancy. To be eligible for Maternity Benefit contributions in respect of the I.W. are payable/paid for not less than 70 days in the immediately preceding two Contribution Periods. The benefit is paid for a period of twelve weeks in case of confinement, six weeks in case of miscarriage or medical termination of pregnancy and for one additional month in case of sickness arising out of confinement.

(d) Confinement Expenses:

(Rule 56-A of ESI Central Rules).

It is payable to an I.W. (or an I.P. in respect of his wife) provided that the confinement occurs at a place where medical facilities under ESI Scheme are not available. A sum of Rs. 2,500/- per case is paid as confinement expenses for two confinements only.

(e) Disablement Benefit:

(Section 51 of ESI Act read with Rule 57 of ESI Central Rules)

(i) Temporary Disablement Benefit:

In case of Temporary Disability arising out of an Employment Injury or Occupational Disease, Temporary Disablement Benefit is admissible to an I.P. for the entire period so certified by an IMO/IMP for which the I.P. does not work for wages. This benefit is not subject to any Contributory condition. Benefits however, are not payable if the incapacity lasts for less than 3 days excluding the date of accident.

(ii) Permanent Disablement Benefit:

If an Employment Injury or Occupational Disease results in permanent, partial or total, loss of earning capacity of an employee, periodical payments are made to the I.P. for life at a rate, depending on the actual loss of Earning Capacity as may be determined or certified by a duly constituted Medical Board. Rates of D.B. are determined in accordance with Rule-57 of ESI Central Rules. The first payment of PDB is required to be made within one month of submission of claim, complete in all respect.

(f) Dependents' Benefit:

(Section-52 read with Rule-58 of ESI Central Rule).

Periodical Payment is made to the dependants of a deceased I.P. if the death occurred as a result of Employment Injury or Occupational Disease. The daily rate of Dependents' Benefit is 90% of the Standard Benefit rates, sharable by all the dependants in a fixed ratio.

(g) Funeral Expenses:

(Section-46 (f) of ESI Act read with Rule 59 of ESI Central Rules).

Funeral Expenses upto a maximum of Rs. 10,000/- on the funeral of a deceased I.P. are reimbursed to the eldest surviving member of the family or in his absence to the person who actually incurs the expenditure on funeral.

(h) Rajiv Gandhi Shramik Kalyan Yojana (RGSKY).

Introduced w.e.f. 01.04.05, it seeks to provide succour to the workers covered under the scheme during period of involuntary unemployment. I.P's losing employment due to closure of their factory/establishment, retrenchment on permanent disability due to non-employment injury (at least 40%) are entitled to unemployment allowance in cash, as

well as medical care for self and family, for one year subject to the condition that the person was an employee on the date of loss of insurable employment and should have contributed under the scheme for a minimum period of three years.

Responsibilities of Employers

- To apply in Form-01 for allotment of Code No. within 15 days of the act becoming applicable to the Factory/Establishment.
- To submit Declaration Forms in respect of all its employees coverable under ESI act.
- To ensure that all coverable employees present themselves with family in ESI Corporation for taking of photograph.
- To deposit both employers' and employees' Contribution at specified rate within 21 days of the following month.
- To maintain accident book and submit report of accident, if any, within 24 hours of its occurrence to the Branch Office.
- To maintain records/registers as prescribed under ESI Act/Regulation.
- To produce all records, as asked for, for Inspection/Test Inspection to Social Security Officer/any other ESIC Officer.
- To submit return with all columns filled, in accordance with Reg. 26 of ESI (Genl.) Regulation-1950.
- To report promptly to concerned Regional Office/Branch Office of any eventuality such as closure of factory/establishments, change in business activity, change of address, change of ownership of the factory/establishment.

Responsibilities of Employees

- (i) To submit correct information in respect of him/family in Declaration Form.
- (ii) Present himself/members of family for taking photograph.
- (iii) Preserve the Identity Card properly.
- (iv) Should not receive any benefit improperly.

Benefits Under ESI Act and Contributory Conditions

	Nature of Benefits	Available to	Extent to which available	Eligibility conditions
1.	Medical Benefits	(a) To self and family of the employee.	Full Medical Care including Super Speciality Treatment	Medical Care is available immediately on joining insurable employment. For Super-speciality treatment the I.P. should be eligible for Sickness Benefit.
		(b) To self and spouse of retired IP's/I.Ps who opted for VRS or retired prematurely after rendering 10 years of service.	Full Medical Care	5 years for IP's retiring after superannuation and 10 years in case of VRS etc.
2.	Sickness Benefit	Self	91 days in two consecutive benefit periods	Contribution should have been paid/payable for 78 days in the corresponding Cont. Period.
3.	Maternity Benefit	Self	12 weeks in case of confinement and 6 weeks for miscarriage/ MTP	Contribution paid/payable for 70 days in the immediately preceding 2 Consecutive Cont. Period corresponding to the benefit period in which Confinement is expected to occur.
4.	Disablement Benefit			
(a)	Temporary Disablement Benefit	Self	Entire period of certified disablement.	Disablement should occur during the course of and out of Employment and I.P. should not have worked for wages during the period.

	Nature of Benefits	Available to	Extent to which available	Eligibility conditions
(b)	Permanent Disablement Benefit	Self	For life at a rate depending upon the actual loss of earning capacity as may be determined by a duly constituted Medical Board.	Permanent loss of earning capacity should occur due to Employment Injury or due to occupational diseases.
5.	Dependent Benefit	Dependants of an I.P. who has died due to Employment Injury.	To widow for life or until remarriage. To Dependant children upto the age of 25 years.	Death should occur due to Employment Injury or occupation Diseases.
6.	Funeral Expenses	Eldest surviving member of the family or to the person who actually incurs the expenditure.	Rs. 10,000/- (Lump-sum).	No condition. Paid in the event of Death of an I.P.
7.	Rajiv Gandhi Shrmik Kalyan Yojana	Self	One year	Admissible to IP's who become temporarily unemployed due to permanent closure of a factory or gets disabled from non-employment injury after rendering 3 years of continuous service.

ESI Scheme at a glance 2009-2010

Particulars (1)	As on		Variation During 2009-10 (4)
	31.03.2009 (2)	31.03.2010 (3)	
State/Union Territories covered	29	29	
No. of Centres	783	787	4
No. of Employees	12569295	13896150	1326855
No. of Insured Persons/family Units	12937577	14300000	1362423
No. of Insured women	2264076	2600250	336174
Total Beneficiaries	50197799	55484000	5286201
No. of Employers covered	394332	406499	12167
Coverable Employees in Non- implemented areas	1032329	1204030	171701
Branch Offices/Pay Offices	611/197	610/187	-1/-10
Inspection Offices	352	360	8
ESI Hospitals	145	144	-1
ESI Annexes	42	42	
No. of Cash Benefit Payments	3074942	3425869	350927
No. of Medical Attendance (for I.PS)			
(a) OPD Attendances	19294211	20696830	1402619
(b) Cases Admitted in Hospital	337515	417496	79983
ESI Dispensaries	1388/44	1402/84	14/40
Insurance Medical Officers	7247	7301	54
Insurance Medical Practitioners	1678	1540	-138
Capital Constructions (Rupees in Lakhs)			
Sanctioned	123279.93	970600.00	847320.07
Advanced	125607.66	90224.00	64616.34
Income and Out-go (Rupees in Lakhs)			
Revenue Income	445245.7	508517.93	63272.2
Revenue Expenditure	206882.98	271180.3	64297.32

CHAPTER-II

POWERS AND DUTIES OF THE OFFICERS AND EMPLOYEES OF ESI CORPORATION

Director General, the Chief Executive of ESI Corporation, and the Financial Commissioner are the principal officers of ESI Corporation who are appointed by the Central Govt. in accordance with Section-16 of ESI Act-1948.

Powers and Duties of the Director General and the Financial Commissioner are detailed under Rule 16 & 19 of ESI Central Rules-1950 respectively which are as under:

1. Powers and duties of the Director General

The powers and duties of the Director General shall be :-

- (i) to act as the Chief Executive Officer of the Corporation
- (ii) to convene, under the orders of the Chairman, meetings of the Corporation, the Standing Committee and the Medical Benefit Council in accordance with the Act and the Rules and to implement the decisions reached at the meetings;
- (iii) to enter into contracts on behalf of the Corporation in accordance with the Act or the Rules Regulations made thereunder, or the general or special instructions of the Corporation or the Standing Committee;
- (iv) to furnish all returns and documents required by the Act or the Rules to the Central Govt. and to correspond with the Central Government and the State Governments upon all matters concerning the Corporation;
- (v) to undertake such other duties and to exercise such other powers as may from time to time, be entrusted or delegated to him.

Director General may, with the approval of the Standing Committee, by general or special order, delegate any of his powers or duties under the

Rules or the Regulations or under any resolution of the Corporation or the Standing Committee, as the case may be, to any person subordinate to him. The exercise or discharge of any of the powers or duties so delegated shall be subjected to such restrictions, limitations and conditions, if any, as the Director General may, with the approval of the Standing Committee, impose.

2. Powers and duties of the Financial Commissioner

The powers and duties of the Financial Commissioner shall subject to the control of the Director General be :-

- (i) to maintain the accounts of the Corporation and to arrange for the compilation of accounts by the collection of returns from the Centres and Regions;
- (ii) to prepare the budget of the Corporation;
- (iii) to arrange for internal audit of the accounts of the Centres and Regions and of the receipts and payments thereat;
- (iv) to make recommendations for the investment of the funds of the Corporation ; and
- (v) to undertake such other duties and to exercise such other powers as may, from time to time, be entrusted or delegated to him.

Powers and Duties of other senior officers of Hqrs. Office are available in the booklet of “ESI Corporation-Rules of Business.” Similarly, powers & duties of the officers of Field Offices are available in ESI Corporation combined booklet of Delegation of Powers. The other senior officers and staff working in different offices of the Corporation provide necessary assistance for efficient transaction of business in respective offices.

CHAPTER-III

PROCEDURE FOLLOWED IN THE DECISION MAKING PROCESS INCLUDING CHANNELS OF SUPERVISION AND ACCOUNTABILITY

ESI Corporation is a Statutory body, set-up by an act of Parliament and functions as per the provisions of the Act and Rules & Regulations framed by the Central Govt./ESI Corporation as envisaged under the act.

Any decision for amendment of ESI Act is taken by the Parliament.

Further the Central Govt. has been empowered to make rules in the matters detailed under Section-95 (2) of ESI Act.

Similarly, the Corporation has been authorised to make Regulations in the matters laid down under Section-97(2) of ESI Act-1948.

Consistent with the decisions taken by the ESI Corporation and rules framed by the Central Govt./Regulations framed by the Corporation, the ESIC Hqrs. formulates policies for implementation by its various field offices.

For functional convenience, Hqrs. Office has been divided into following divisions:

- (i) Insurance Division – headed by Insurance Commissioner
- (ii) Medical Division – headed by Medical Commissioner
- (iii) Administration Division – headed by Commissioner-(P&A)
- (iv) Finance Division – headed by Financial Commissioner
- (v) Project Management Division – headed by Chief Engineer
- (vi) Vigilance Division – Headed by Chief Vigilance Officer.
- (vii) Training Division – Headed by Commissioner (NTA)

Policy decisions taken at Hqrs. are communicated by respective divisions to the field offices such as, Regional Offices, ESI Hospitals, ESI Scheme Directorates, SMCs Offices and Branch Offices for effective implementation, as per powers delegated to all Heads of Office level functionaries.

CHAPTER-IV
NORMS SET BY ESI CORPORATION FOR
DISCHARGE OF ITS FUNCTIONS

Following time limits for disposal of various applications/requests received from the officers and employees posted in the offices of the Corporation vide Letter No. Z-11/12/1/92-MSU Dated 27.03.2003 have been fixed.

Sl. No.	Nature of Application	Maximum Number of working days allowed for disposal
1.	Grant of advance/withdrawal from GPF	7 days
2.	Grant of Festival Advance	7 days
3.	Grant of Motor Cycle/Motor Car/Computer Advance	15 days
4.	Grant of LTC Advance	7 days
5.	Grant of T.A. Advance	7 days
6.	Grant of Cycle Advance	7 days
7.	Settlement of adjustment bill of LTC/T.A.	20 days
8.	Grant of pay certificate/TD Certificate/Certificate of accrual of interest on HBA	3 days
9.	Forwarding of application for outside posts	5 days
10.	Forwarding of application for Type Test	3 days
11.	Forwarding of application for allotment of Govt. accommodation	3 days
12.	Issue of Identity Cards for medical treatment	3 days
13.	Issue of temporary passes	2 days
14.	Issue of Photo Passes	10 days
15.	Forwarding all requests for transfer	3 days
16.	Issue of No Objection Certificate for obtaining personal passport	7 days
17.	Sanction of medical reimbursement claim under the delegated powers	20 days
18.	Sanction of medical advance	7 days
19.	Grant of permission under Conduct Rules	7 days
20.	Change of 'Home Town' recorded in the Service Book	10 days

All Officers/employees are required to furnish their application/requests complete in all respects so that the application/requests may be disposed of within the time limit mentioned above.

Further, Regulation 52 of E.S.I. (General) Regulations , 1950 specifies following time limits for disposal of claims of Insured Persons:

- (1) Sickness Benefit : within 7 days
- (2) Funeral Expenses : within 15 days
- (3) Maternity Benefit : within 14 days (in case of first payment)
- (4) Temporary Disablement Benefit : within one month (in case of first payment)
- (5) Permanent Disablement Benefit : within one month (in case of first payment)
- (6) Dependents' Benefit : within 90 days (in case of first payment)

CHAPTER-V

RULES REGULATIONS INSTRUCTIONS, MANUALS &
RECORDS HELD BY ESIC OR USED BY ITS
EMPLOYEES FOR DISCHARGE OF ITS FUNCTIONS

Sl.No.	Name of the book
01.	Employee State Insurance Act-1948.
(a)	ESI (Central) Rules-1950.
(b)	ESI (General) Regulations-1950.
02.	Branch Office Manual (Procedures to be followed for payment etc. to the beneficiaries in the Branch Offices).
03.	ESIC Medical Manual (Procedures to be followed by the IMOs for certification and grant of medical benefit).
04.	Revenue Recovery Manual (Procedures of recovery of arrears of revenue).
05.	Manual of General Office Procedure (Procedures to be followed by the officers/officials of the ESIC in discharge of their official functions.
06.	ESIC Manual of Audit & Accounts (General Rules and Principles followed in Finance & A/cs. Div.)
07.	Record Retention Schedule (Reference book for ESIC Offices regarding retention period of various documents and records in ESIC)
08.	Hand Book of ESIC Lands and Buildings. (Details of properties of the ESIC.)
09.	ESIC Construction Norms of Dispensaries and Diagnostics Centre etc. (Contains various details of area, electrical and sanitary fittings etc. alongwith map of the two, three four & five doctors dispensaries and dispensary cum Diagnostic centre).
10.	Compendium of important instructions issued by Construction Division, ESIC during the period from 1992 to 2005
11.	Important Decision of Corporation and its Standing Committee. (Collection of decisions of the ESI Corporation and its Standing Committee).
12.	Norms and Standards of Staff requirement for ESI Hospitals and Dispensaries.
13.	Compendium of important instructions for insurance/benefits.
14.	Ready Reckoner of Standard Benefit Rates
15.	ESIC Staff (Conditions of Service) Regulations 1959

CHAPTER-VI

STATEMENT OF CATEGORIES OF DOCUMENTS IN ESIC

Following categories of documents are held in various offices of ESIC.

(A) ADMINISTRATION

All Offices

- (a) Personal records of officers and employees of the Corporation such as Service Book of each employee, Service Card of all the officers, Confidential Reports, Probation Progress Reports and personal files. Various Hypothecation documents for the loan and advances taken by the employees and officers. (For example, HBA. Motor Vehicle Advance etc.)
- (b) Seniority List.
- (c) Recruitment Regulations.
- (d) D.P.C. Minutes.
- (e) Instructions on establishment matters.
- (f) Records involving recruitment of Staff and offices.
- (g) Record of all purchases made, Service and Maintenance of the furniture/fixtures and equipments in the offices, dispensaries & hospitals of the ESI Corporation.

Only in Hqrs. Office

- (h) Agenda/minutes of meetings of ESI Corporation and Standing Committee of ESIC.
- (i) List of members of Corporation/Standing Committee with their names and capacity in which they are represented in the Corporation.
- (j) Sanctioned/in-position strength of officers and staff in Hqrs. Office/different regions/sub regions and other offices.
- (k) Location of establishments.
- (l) Constitution of ESI Corporation/Standing Committee/Medical Benefit Council.

(B) REVENUE BRANCHES OF REGIONAL OFFICES

- (a) C-1 Register containing details of General and uncovered (marginal) Units.

- (b) SC-15 register containing details of inspections done.
 - (c) Files of individual employer covered under ESI Act.
 - (d) Prosecution Cases filed by the Corporation under Section 84 and 85 of ESI Act.
 - (e) Cases filed by the Employers under Section 75 of ESI Act.
 - (f) Medical Board Register.
 - (g) Constitution of Medical Board.
 - (h) Agenda and Minutes of Meetings of Regional Boards.
- (C) REVENUE BRANCH OF HQRS. OFFICE
- (a) Instructions on Revenue matters.
 - (b) Data on Arrears.
 - (c) Data on Month-wise Contribution Income received.
 - (d) Status of BIFR Cases.
 - (e) Supreme Court Cases.
 - (f) Documents of phased programme for implementation of scheme in new areas.
 - (g) Documents relating to implementation of scheme in an area i.e. notifications of implementation.
- (D) BRANCH OFFICES
- (a) Returns of Declaration Forms.
 - (b) Declaration Form submitted in respect of each employee.
 - (c) Live List of I.P's who are entitled to Medical Benefit.
 - (d) Details of benefits availed by each employee from time to time.
 - (e) All Regulation Certificates furnished by any I.P. for benefit payment.
 - (f) Accident reports and all corresponding papers.
 - (g) Register for allotment of Insurance No.
 - (h) R.C. Register.

(E) MEDICAL DIVISION (HQRS.) AND HOSPITALS

(i) Medical Division.

(a) Sanctioned strength medical/para-medical/administrative personnel in each ESIC Hospital/Dispensary.

(b) Agenda and minutes of meeting of Medical Benefit Council.

(ii) Hospitals.

(a) Duty Chart of Group A, B & C, D, employees.

(b) Records of indoor patients (in hospitals).

(i) Central Admission-registers.

(ii) Census of in-patients.

(iii) Statistical data of Admission and discharge of patients.

(iv) Daily attendance of patients in OPD.

(v) Details of surgery done on each day.

(vi) Indexing-Diagnostic and operations coding.

(vii) Records of Receipt and distribution of drugs/dressings.

(F) FINANCE & ACCOUNTS DIVISION IN HQRS. OFFICE.

(i) Investment policy under Rule 27 of ESI Central Rules-1950.

(ii) Monthly Accounts.

(iii) Receipt Book.

(iv) Bank Scroll.

(v) Schedule Sheet.

(G) PUBLIC RELATIONS BRANCH (HQRS. OFFICE)

(i) Annual Reports of ESIC.

(ii) Annual Accounts.

CHAPTER-VII

ARRANGEMENT FOR CONSULTATION WITH OR
REPRESENTATION BY, MEMBERS OF PUBLIC FOR
POLICY FORMULATION

- (1) At the National level, it is the ESI Corporation, its Standing Committee and the Medical Benefit Council that discuss all matters relating to the scheme and frame policies for effective delivery of social security services to the clients.
- (2) At the Region level, Regional Boards are set up in each State or UT by the Chairman, ESI Corporation in accordance with Reg. 10 of ESI (Gen.) Regulations, 1950. Functions of Regional Board are set out in Reg. 10 (14) of the said Regulations.
- (3) At Gross root level Local Committees are set up for such areas as may be considered appropriate by respective Regional Boards in accordance with Reg. 10-A(1) of ESI (Gent.) Regs.-1950.

CHAPTER-VIII

STATEMENT OF BOARD, COUNCILS COMMITTEES AND OTHER BODIES

(1) STANDING COMMITTEE.

The Standing Committee of the Corporation is constituted from among the members of the Corporation in accordance with Section-8 of ESI Act-1948. The Standing Committee consists of the following members:

- (a) A Chairman appointed by the Central Govt.
- (b) Three members of the Corporation, appointed by the Central Government;
- (bb) Three members of the Corporation representing such three State Governments thereon as the Central Government may, by notification in the Official Gazette, specify from time to time;
- (c) Eight members elected by the Corporation as follows:
 - (i) Three members from among the members of the Corporation representing employers;
 - (ii) Three members from among the members of the corporation representing employees;
 - (iii) One member from among the members of the Corporation representing the medical profession; and
 - (iv) One member from among the members of the Corporation elected by Parliament.
- (d) The Director General of the Corporation, ex. Officio.

(2) MEDICAL BENEFIT COUNCIL

The Central Government constitutes a Medical Benefit Council in accordance with Section-10 of ESI Act, 1948 to advise the Corporation and the Standing Committee on matters relating to the administration of Medical Benefit and other connected matters.

Members of the Medical Benefit Council are as under:-

- (a) Director General, ESIC, Chairman.
- (b) Director General Health Services, Govt. of India, Co-Chairman.
- (c) A Dy. Director General Health Services appointed by the Central Govt.-Member.
- (d) The Medical Commissioner of the Corporation, ex-officio;

- (e) One member each representing each of the States (other than Union territories) in which this Act is in force to be appointed by the State Government concerned;
- (f) Three members representing employers to be appointed by the Central Government in consultation with such organisations of employers as may be recognised for the purpose by the Central Government;
- (g) Three members representing employees to be appointed by the Central Government in consultation with such organisations of employees as may be recognised for the purpose by the Central Government; and
- (h) Three members, of whom not less than one shall be a woman, representing the medical profession, to be appointed by the Central Government in consultation with such organisations of medical practitioners as may be recognised for the purpose by the Central Government.

(3) REGIONAL BOARDS

The Chairman, ESI Corporation constitutes a Regional Board for each State or Union Territory for performing functions as per Reg. 10(14) of ESI (Gent.) Regs. 1950.

- (a) a Chairman nominated by the Chairman of the Corporation in consultation with the State Government or the Administration of the Union Territory;
- (b) a Vice-Chairman nominated by the Chairman of the Corporation in consultation with the State Government or the Administration of the Union Territory;
- (c) one representative of the State or the Union Territory nominated by the State Government or the Administration of the Union Territory;
- (d)
 - (i) the Administrative Medical Officer or any other Officer directly in charge of the Employees' State Insurance Scheme in the State or the Union Territory-ex-officio;
 - (ii) the SMC/SSMC of the Corporation-ex. Officio.
- (e) one representative each of the employers and employees from the State or the Union Territory nominated by the Chairman of the Corporation in consultation with such organisation of the employers and the employees as may be recommended for the purpose by the State Government or the Union Territory;
- (f) members of the Corporation other than the Chairman and the Vice Chairman and officials, if any, amongst those nominated by the Central Government under clause (c) of section 4 of the Act, residing in the State or the Union Territory-ex officio;
- (g) members of the Medical Benefit Council nominated by the Central Government under clauses (e), (f) and (g) of Section 10 of the Act, residing in the State or the Union Territory-ex. Officio.

Provided that where the Chairman of the Corporation so considers it to be expedient, he may nominate such additional representatives of employers and employees, not exceeding three from each side with a view to providing for the adequate representation of important organisations not included in the nominations of the State Government or the Union Territory, and to maintaining the parity between the number of representatives of such employers and employees.

Provided further that the Chairman of the Corporation shall nominate such additional representatives of employers and employees not exceeding three from each side where the number of representatives of employers and employees including the ex-officio members, is less than three each.

(4) LOCAL COMMITTEE

A local committee may be set-up for such area as may be considered appropriate by the Regional Board of a State with the following members:

- (a) a Chairman to be nominated by the Chairman, Regional Board.
- (b) an official of the State to be nominated by the State Government.
- (c) the Administrative Medical Officer in charge of the Scheme in the area concerned, ex-officio, or any other medical officer nominated by him;
- (d) such number, not being less than two or more than four, of representatives of employers in the area as may be considered appropriate by the Chairman, Regional Board, to be nominated by him, in consultation with such employers' organisations as may be recommended for the purpose by the State Government;
- (e) an equal number of representatives of employees in the area to be nominated by the Chairman, Regional Board, in consultation with such organisations of employees as may be recommended for the purpose by the State Government.
- (f) an official of the Corporation to be nominated by the Director General who shall also act as Secretary to the Committee;

Provided that where the Chairman, Regional Board, so considers it to be expedient, he may nominate such additional representatives of employers and employees, not exceeding two from each side, with a view to providing for the adequate representation of important organisations not included in the nominations of the State Government and to maintaining the parity between the number of representatives of such employers and employees;

Provided further that in any area in which medical care is provided through a panel system, a local committee may co-opt a member representing the local Insurance Medical practitioners.

CHAPTER-IX
A DIRECTORY OF THE OFFICERS AND EMPLOYEES
OF THE ESI CORPORATION

List of Sr. Officers in the Hqrs. Office

Director General, DR. C.S. Kedar, IAS	Tel.: 011-23235391 Fax: 011-23237136
Financial Commissioner, Shri Rajiv Dutt, IRAS	Te.l: 011-23235194 011-23236706
Medical Commissioner, Dr. Surinder Kumar	011-23236496
Chief Vigilance Officer, Shri A.K. Singh, IFS	011-23221105 011-23237284
Chief Engineer, Shri Om Kumar	011-23235782 011-23221498
Insurance Commissioner, Shri B.K. Sahu	011-23239987 011-23239867
Commissioner (P&A), Shri T.K. Bhattacharya	011-23239424 011-23235664
Commissioner (Rectt.), Shri A. Chockalingam	011-23230872 011-23231193
Commissioner (NTA), Shri Jose Cherian	011-28050241
DMC (Hqrs.), Dr. S.K. Jain, DMC	011-23236227
DMC (M.E.), Dr. Vivek Handa	011-23234685
Dy. Medical Commissioner (Procurement), Dr. N.K. Arora	011-23230484
Dy. Medical Commissioner (R.C.), Kayam Singh	011-23234334
Dy. Medical Commissioner-ISM, Dr. Pawan Kumar	011-23234337
Additional Commissioner, Shri D. Lahiri	011-27552677
Additional Commissioner-(Benefits), Shri B.D. Sharma	011-23231551
Additional Commissioner-(Systems), Shri S.K. Garg	011-23210922

List of Sr. Officers in the Hqrs. Office

Additional Commissioner-(Revenue), Shri Arun Kumar	011-23237294
Director (Vigilance), Shri A.K. Sinha	011-23230145
Director (Finance), Shri K. Rajasekhar	011-23232143
Director (Medical Vigilance), Shri A.K. Mishra	011-23230146
Director-(MSU), Shri S. Ghose	011-23235778
Director-P.G., Actuary, Inspection & CPIO, Shri H.C. Sharma	011-23237964

List of Regional Directors / Director / Jt. Director / Sub-Regional / I/Cs / Divisional Offices

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
1.	(Andhra Pradesh) Sh. U.H. Rao Additional Commissioner & R.D.	ESI Corporation Panchdeep Bhawan, 5-9-31/1/8 opp. Old Gandhi Medical College, Basheerbagh, Main Road, Hyderabad-500064 http://www.apesic.nic.in	Tel.: 040-23234319 Res. 23231987 Fax: 23235048 E-mail: esichyd@ap.nic.in Rd-ap@esic.nic.in
2.	(SRO Vijaywada) Sh. J.S. Murthy Director-I/c	Sub-Regional Office, ESI Corporation, S-14-20-27, Padamnabha Building, 2nd Floor, Gandhi Nagar, Vijaywada-520003 (A.P.)	Tel.: 0866-2571880 (D) Fax: 0866-2570464 dir-bza@esic.nic.in
3.	(Vishakhapatnam) (Andhra Pradesh) Sh. Janardan Rao Director	Sub-Regional Office, NTR Sahakara Bhawan, D. No. 58-14-57-1, II Floor, Marripalem, Vuda Layout, NAD (Post) Vishakhapatnam-530009	0891-2733219 (T) 0891-2733126 (T) 0891-2796635 (F) Sro-vizag@esic.nic.in
4.	Guwahati (Assam) Sh. P. Barua Regional Director	ESI Corporation Panchdeep Bhawan P.O. Bamuni Maidan, Guwahati-781021	Tel. 0361-2550357 Res. 2550075 esic@gul.dot.not.in rd-assam@esic.nic.in
5.	Patna (Bihar) Sh. Gautam Ghosh Regional Director	ESI Corporation Panchdeep Bhawan Belly Road, Opp. C.R. Building, Patna-800001	Tel.: 0612-2521928 Fax: 0612-2533314 Root@esic.bin.nic.in Rd-bihar@esic.nic.in
6.	Jharkhand Ranchi Sh. S.C. Jamir Regional Director	Regional Office, ESI Model Hospital Complex, Namkum, Puruliya Road, Ranchi-834010 (Jharkhand)	Telefax: 0651-2261581 Fax: 0651-2261569 (T/F) rdjharkhand@esic.nic.in
7.	Chattishgarh Sh. J.K. Dagar Regional Director	ESI Corporation H.No. 23, Choubey Colony, Raipur	Tel.: 0771-2257598 Fax: 0771-2254589

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
8.	(Delhi) Sh. A.K. Verma Addl. Commissioner & Regional Director	ESI Corporation, DDA Shopping Cum-Office Complex, Rajendra Place, New Delhi-110008 http://esicdelhi.org.in	Tel.: 011-25745044 Fax: 011-25734381, 25731762 rdesidel@bol.net.in rd-delhi@esic.nic.in rd-delhi@esicdelhi.org.in resident@bol.net.in
9.	SRO Rohini, Delhi Sh. Pranay Sinha Jt. Director	ESI Corporation Sector-7, Near Sai Baba Mandir, Rohini, New Delhi	Tel. 011-27048945 011-27056510 (T/F) 011-27040347 do-rohini@esic.nic.in
10.	SRO Okhla, New Delhi Sh. M.K. Sharma Director	ESI Corporation Divisional Office ESI Hospital Campus Okhla, Maa Anand Mai Marg, New Delhi	Tel. 011-26813811 011-27056510 (T/F) 011-27040347 do-okhla@esic.nic.in
11.	Divisional Office Nand Nagri, Delhi Sh. Ashok Chandra Jt. Director	ESI Corporation Divisional Office Nand Nagar, New Delhi	Tel. 011-22123685 Fax: 011-22123948 do-nandnagari@esic.nic.in
12.	Regional Office (Goa) Sh. R.S. Rao Regional Director	ESI Corporation Panchdeep Bhawan, IIIrd floor, EDC, Plot No. 23, Patto Panajai, Goa-403001 http://www.esicgoa.org.in	Telefax: 0832-2438858 0832-2438859-DD (Fin.) esicgoatelecom.com.comrd- goa@esic.nic.in
13.	(Ahmedabad), Gujarat Sh. L.K. Pattnaik Addl. Commissioner & Regional Director	ESI Corporation Ashram Road, Ahmedabad-380014 http://esicgujarat.org	Tel. 079-27540533 Fax 25740498 esicabd@adl.vsnl.net.in Rd-gujarat@esic.nic.in
14.	SRO (Vadodara) M.H. Sh. Chandarana, J.D.	ESI Corporation, Urmil Society, ESI Dispensary, No. D-1, Alka Puri, Baroda-452008 http://esicvadodara.org	Tel.: 0265-2324446, 2324442

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
15.	SRO Surat (Gujarat) Sh. VVSP Rao Director	ESI Corporation ESI Hospital Complex, Majura Gate, Ring Road, Surat-395001	Tel. 0261-23233195 0261-23233201
16.	(Faridabad), Haryana Sh. A.K. Srivastava Regional Director	ESI Corporation H.No. 5, N.I.T. Sector-16, Faridabad-121002 Haryana	Tel.: 0129-2284728, 2282442 Fax: 0129-2264078 esicfdb@nicfdb.chd.nic.in
17.	Sub-Regional Office Gurgaon (Haryana) Sh. M.S. Dahiya Jt. Director	Sub-Regional Office ESI Corporation, Plot No. 47, Sector-34, Near Hero Honda Chowk, Gurgaon-1220001, Haryana	0124-2370270 (T/F) Esicggn@gamil.com Sro-gurgaon@esic.nic.in
18.	Sub-Regional Office (Ambala) Sh. Deokinandan Jt. Director	8, Model Town Ambala City, Haryana	Tel.: 0171-2521447 Fax: 0171-2521943 sro-amabal@esic.nic.in
19.	(Himachal Pradesh) Sh. B.S. Negi Regional Director	ESI Corporation, Near ESI Hospital Parwanoo (Himachal Pradesh)	Tel.: 01792-235056, 235057 Fax: 235134 dir-parwanoo@esic.nic.in
20.	(Jammu & Kashmir) Sh. Rattan Kumar Regional Director	ESI Corporation, Panchdeep Bhawan Ground Floor, 10-B (Radha Bhawan) Shastri Nagar, Jammu	Tel.: 0191-2459568 rdjnk@esic.nic.in
21.	(Bangalore) Karnataka Sh. K.F. Janvekar A.C. & R.D.	ESI Corporation, Panchdeep Bhawan, No. 10, Binny Peth, Binny Fields, Bangalore-560023 (Karnataka) http://www.esickar.gov.in	080-26740764 080-26741307 (F) esicbng@kar.nic.in rd-karnataka@esic.nic.in
22.	SRO-Hubli (Karnataka) Sh. A. Srinivasan Jt. Director	ESI Corporation Niketan Shoppee, Sarvoday Circle, Keshwapur Hubli-580023	0836-2354627 (T/F) 0836-2237303 (Ph.) 0836-2237827 (Fax) esihbl@vsnl.com dir-hubli@esic.nic.in

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
23.	Divisional Office Gulbarga (Karnataka) S. Nazeer Ahamed J.D.	ESI Corporation Divisional Office, #15, Arihant Nagar, Sedam Road, Gulbarga-585103	08472-278478 08472-278479 Sro-gulbarga@esic.nic.in
24.	SRO Bommasondra (Karnataka) Sh. C.R. Nageswaran Director	Sub Regional Office, ESI Corporation, No. 23, 9th 'B' & 'C' Main, B.T.M. Ring Road, Opp. Indian Oil Petrol Bunk, Bangalore	Sro-bommosandra@esic.nic.in
25.	SRO Peenya (Karnataka) Sh. J.H. Nayak Director	Sub-Regional Office, ESI Corporation, Harini Towers, 8th Cross, 3rd Main, Off. Ringh Road (Near FTI) II Stage, Industrial subrub, Yeshwanthpur, Bangalore	080-23376821/23376831 (T) 080-23376841 (F) 080-23373917 (J.D.'s No.) Sro-peenya@esic.nic.in
26.	Thrissur (Kerala) Sh. T.M. Joseph A.C. & R.D.	ESI Corporation, Panchdeep Bhawan, North Swaraj Round, Thrissur-680020 http://esickerala.gov.in/	0487-2331241 0487-2338441 (F) rdesikerala@dataone.in rd-kerala@esic.nic.in
27.	SRO, Kollam (Kerala) Sh. S.V. Krishna Kumar Director	Sub-Regional Office, ESI Corporation, Panchdeep Bhawan	0474-2761146 (T) Sro-kollam@esic.nic.in
28.	SRO, Ernakulam (Kerala) Sh. V. Subramaniam Director	Sub-Regional Office, ESI Corporation	0484-2102016 0484-2102031 sro-ernakulam@esic.nic
29.	Divisional Office, Kozhikode Sh. K.P. Appachan Jt. Director	Divisional Office ESI Corporation Kaloor, Cochin-682017	—
30.	Indore Madhya Pradesh Sh. A.K. Mokhopadhyay Regional Director	ESI Corporation, Panchdeep Bhawan, Nanda Nagar, Indore-452008 http://esicmp.in	0731-2576452 0731-2550485 (Fax) Rd-mp@esic.nic.in

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
31.	Maharashtra-Mumbai Sh. S.C. Chakravarthy A.C. & R.D.	ESI Corporation, Panchdeep Bhawan, 108, N.M. Joshi Marg, Lower Parel, Mumbai-400013 http://esicmaharashtra.gov.in	022-24933329, 022-24933330 022-24925352 (F) karabini@vsnl.com Rd-maharashtra@esic.nic.in
32.	SRO Thane (Maharashtra) Sh. S. Biswas Jt. Director	ESI Corporation, ESI Hospital Complex, 5th Floor, Wagle Estate, Thane-400604	022-25805222 022-25806131 (F) dir-thane@esic.nic.in esicthane@mtnl.net.in
33.	SRO Marol (Maharashtra) Smt. Manju Chakravarthy Director	ESI Corporation, Panchdeep Bhawan, Plot No. 9, Road No. 7, MIDC, Marol, Andhri (East), Mumbai-400093	022-28270207 022-28303542 (F) dir-marol@esic.nic.in
34.	SRO Pune (Maharashtra) Sh. S.K. Sinha Jt. Director	ESI Corporation, Site No. 689/690, Bibe Wadi, Pune-411037	020-24218710 020-24215153 (F) esipune@mah.nic.in dir-pune@esic.nic.in
35.	SRO Nagpur (Maharashtra) Sh. S.C. Bhardwaj Jt. Director	ESI Corporation, Panchdeep Bhawan, Ganesh Peth, Nagpur-440018	0712-2722987, 0712-2729353 0712-2729359 (F) esicngp@nagpur.dot.net.in dir-nagpur@esic.nic.in
36.	SRO Aurangabad (Maharashtra) Sh. B.T. Undirwada Jt. Director-l/c	Sub-Regional Office, P-16, ESIC Hospital Complex, Naragaon Road, Chikalthana, Aurangabad-431210 (Maharashtra)	Tel.: 0240-2483144 (T/F) 0240-2485949
37.	Bhubaneshwar (Orissa) Sh. G.H. Dass R.D.	ESI Corporation, Panchdeep Bhawan, Plot C, Janpath Unit No. IX, Bhubaneshwar-751007 http://www.esicorissa.org http://www.esicorissa.in/	0674-2540207 (T/F) 0674-2542174 0674-2542175 rdiesicor@bsnl.in rd-orissa@esic.nic.in
38.	Chandigarh (Punjab) Sh. B.B. Puri R.D.	ESI Corporation, Panchdeep Bhawan, Block No. 3, Sector-19-A, Madhya Marg, Chandigarh-160020 http://www.esicpunjab.org/	0172-2544126 0172-2542892 (F) rdesicpb@ch.1.dot.net.in rd-punjab@esic.nic.in

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
39.	Jt. Director (l/c.) (Ludhiana) Sh. K.S. Dhaliwal	ESI Corporation, Sub-Regional Office, SCF 22, 23, Phase-II, Focal Point, Ludhiana, Punjab	0161-2670838-41 0161-2670839 (Fax) sro-ludhiana@esic.nic.in
40.	Jaipur (Rajasthan) Sh. R.P. Meena R.D.	ESI Corporation, Panchdeep Bhawan, Bhawani Singh Marg, Jaipur-302001 http://www.esicrajasthan.com	0141-2221631 0141-2222047 (F) esicjp@raj.nic.in rd-rajasthan@esic.nic.in
41.	D.O. Jodhpur Sh. Subroto Mukherjee Jt. Director	Divisional Office, 1/3 & 1/4, Pal Link Road, Jodhpur-342008	0291-275003/004/005
42.	SRO Udaipur (Rajasthan) Sh. G.C. Darjee Jt. Director	5, Bhupalpura (R.K. Plaza), Near Shastri Circle, Udaipur, Rajasthan-313001	0294-2418807 Sro-udaipur@esic.nic.in
43.	Tamilnadu-Chennai Smt. K.P. Nambiar A.C. & R.D.	ESI Corporation, Panchdeep Bhawan, 143 Sterling Road, Chennai-600034 http://www.esichennai.org/	044-28279952 044-2838559 (Fax) esichennai@dataone.in edprochennai@gmail.com rd-tamilnadu@esic.nic.in
44.	Tamilnadu SRO-Madurai Sh. S.M. Mohideen Addl. Commissioner	ESI Corporation 4th Main Road, K.K. Nagar, Madurai-625020 http://www.esicmadurai.org	0452-2532989 0452-2531255 (Fax) esicmdu@vsnl.com dir-madurai@esic.nic.in
45.	Tamilnadu-SRO Coimbatore Sh. S. Vasudevan Director	ESI Corporation, Sub-Regional Office Coimbatore, Panchdeep Complex, 1897, Trichy Road, Ramanathapuram, Coimbatore-641045 http://esicoimbatore.org/	0422-2315940, 0422-2314430 0422-231970 (Fax) jtldr@md5.vsnl.net.in dir-koval@esic.nic.in
46.	Tamilnadu-SRO Tirunelveli Sh. S. Ravichandran Jt. Director	ESI Corporation, Municipal Shopping Complex, Sindhupoonthurai, Trinelveli-627001 www.esictirunelveli.org	Tel.: 0462-2332107 (Fax) 0462-2332105 sro-tirunelveli@esic.nic.in

Sl. No.	Name & Region	Address	Tel. No. (Office) & E-mail address
47.	Tamilnadu-SRO Salem Sh. B. Manohar Director	ESI Corporation, 39/57, Three Road, Salem-636009	0427-2336941, 0427-2336942 0427-2336943 (F) jdesic@hotmail.com sro-salem@esic.nic.in
48.	Pondicherry Sh. A.S. Meeran A.C. & R.D.	ESI Corporation, ESIC Complex, Bouvankari Street, Mudaliarpat, Pondicherry-605004	0413-2354268 (R.D.) 0413-2357642 0413-2357662 (Fax) Rd-pondi@esic.nic.in
49.	Uttar Pradesh (Kanpur) Sh. R.K. Srivastava A.C. & R.D.	ESI Corporation, Panchdeep Bhawan, Sarvodaya Nagar, Kanpur-208005 www.esicuttarpradesh.org	Tel.: 0512-2217957 0512-2224061 (Fax) esic@knp.nic.in rd-up@esic.nic.in
50.	Uttar Pradesh-SRO Noida Sh. Sanjay Sinha Director	ESI Corporation, C-22/12, Sector-57, Noida-201301 www.esicsronoida.org.in	Tel. 0120-2584445 0120-2585644 (Fax) sro-noida@esic.nic.in
51.	SRO Varanasi Sh. Anil Kumar Jt. Director	ESI Hospital Complex, Pandeypur, Varanasi-221002	Tel. 0542-2506728 0542-2500115 sro-varanasi@esic.nic.in
52.	Uttaranchal Sh. Upender Sharma R.D.	ESI Corporation, Panchdeep Bhawan, 5/1, Wing No. 4, Shivpuri, Prem Nagar, Dehradun, Uttrakhand	Tel. 0135-2774763, 2774762 0135-2772099 (Fax) rduchal@esic.nic.in
53.	West Bengal Sh. G.C. Jena A.C. & R.D.	ESI Corporation, Panchdeep Bhawan, 5/1, Grant Lane, Calcutta-700012 http://esicwestbengal.org/	Tel.: 033-22259236 (T/F) join 5279@dataone.in esical@wb.nic.in
54.	SRO-Barrackpore Sh. Arun Pandey Jt. Director I/c	ESI Hospital Campus, Kamahati, Kolkata-70058 http://www.esicbarrackpore.org/	033-25231503 033-252319494 (Fax) Dir-bpore@esic.nic.in

CHAPTER-X
MONTHLY REMUNERATION RECEIVED BY
OFFICERS AND EMPLOYEES OF E.S.I.C.

Section-17(2)(a) of ESI Act-1948 stipulates that the method of recruitment, salary and allowances, discipline and other conditions of service of the members of the Staff of the Corporation shall be such as may be specified in the regulations made by the Corporation in accordance with the rules and orders applicable to the officers and employees of the Central Government drawing corresponding scales of pay. Accordingly, E.S.I. Corporation Staff and Conditions of Service Regulations, 1959 have been made by the Corporation.

The various posts and their pay scales in ESI Corporation as under :-

Sl. No.	Name of the Post	Revised Pay Structure (Rs.)		
		Pay Band	Corresponding Pay Bands	Grade Pay
Group- "A"				
1(a).	Insurance Commissioner	PB-4	37400-67000	10000
1(b).	Commissioner	PB-4	37400-67000	10000
2.	Medical Commissioner	PB-4	37400-67000	10000
3.	Chief Engineer	PB-4	37400-67000	8900
4.	Actuary	PB-4	37400-67000	8700
5.	Addl. Commissioner (V) (R) (B), (P.R.)/AC-RD/DMC	PB-4	37400-67000	8900
6.	RD/Dir./Dir/ (HRD)/Dir. (IT)/Dir. (MSU)/Dir. (P.R.)	PB-4	37400-67000	8700
7.	Jt. Director/JD (MSU)/J.D. (HRD)/J.D. (IT)/Asst. Actuary/Asst. Legal Advisor	PB-3	15600-39100	7600
8.	Executive Engineer	PB-3	15600-39100	7600
9.	Deputy Director (STC)	PB-3	15600-39100	6600
10.	Dy. Director/DD (IT)/DD (Actl.)/DD (MSU)	PB-3	15600-39100	5400

Sl. No.	Name of the Post	Revised Pay Structure (Rs.)		
		Pay Band	Corresponding Pay Bands	Grade Pay
Group- " B "				
11.	Asstt./Director/Manager Gr.-I	PB-2	9300-34800	4800
12.	Asst. Engineer	PB-2	9300-34800	4600
Group- " C "				
13.	S.S.O./Mgr. Gr.-II/Off. Supdt.	PB-2	9300-34800	4600
14.	Asst/H.C.	PB-2	9300-34800	4200
15.	Artist	PB-2	9300-34800	4200
16.	Jr. Engineer	PB-1	5200-20200	2800
17.	UDC	PB-1	5200-20200	2400
18.	LDC/Telephone Operator/Telex Operator/Liftman	PB-1	5200-20200	1900
19.	Sr. Gestetner Operator	PB-1	5200-20200	1900
20.	Librarian Gr.-I	PB-2	9300-34800	4200
21.	Librarian	PB-1	5200-20200	2800
22.	Assistant Librarian	PB-1	5200-20200	1900
Group- " D "				
23.	Multi Tasking Staff (NTS)/ Sr. Library Attendant/Record Keeper	PB-1	5200-20200	1800
Official Language				
24.	Jt. Director (OL) (Group 'A')	PB-3	15600-39100	6660
25.	Asstt. Director (OL) (Group 'B')	PB-3	15600-39100	5400
26.	Sr. Hindi Translator (Group 'C')	PB-2	9300-34800	4600
27.	Jr. Hindi Translator (Group 'C')	PB-2	9300-34800	4200

Sl. No.	Name of the Post	Revised Pay Structure (Rs.)		
		Pay Band	Corresponding Pay Bands	Grade Pay
Personal Staff				
28.	PPS (Group 'A')	PB-3	15600-39100	6600
29.	Private Secretary (Group 'B')	PB-2	9300-34800	4800
30.	Personal Assistant (Group 'C')	PB-2	9300-34800	4600
31.	Stenographer (Group 'C')	PB-2	5200-20200	2400
Staff Car Drivers				
32.	Staff Car Driver (Special Grade)	PB-2	9300-34800	4200
33.	Staff Car Driver (Grade-I)	PB-1	5200-20200	2800
34.	Staff Car Driver (Grade-II)	PB-1	5200-20200	2400
35.	Staff Car Driver (Ordinary Grade)/ Three Wheeler Driver	PB-1	5200-20200	1900

B. STATEMENT SHOWING THE VARIOUS CATEGORIES OF POSTS IN GROUP "A", "B" "C" & "D" IN DIRECTORATE (MEDICAL) DELHI/NOIDA, MODEL HOSPITALS AND E.S.I.C. – RUN HOSPITALS WITH PRE-REVISED SCALES AND REVISED PAY STRUCTURE

S.No	Name of the Post	Pre-revised Scales (Rs.)	Revised Pay Structure (Rs.)		
			Pay Band	Corresponding Pay Bands	Grade pay
Group 'A'					
1.	SAG posts in Specialist and GDMO sub cadre/MS	18400-500-22400	PB-4	37400-67000	10000
2.	Specialist Gr -1, DMC/MS/Dir (Med)/Selection Grade (Non-Functional) / CMO (Ayur) (NFSG)	14300-400-18300	PB-4	37400-67000	8700
3.	Specialist Gr.II (Sr. Scale)/ DMC/Dir (Med)/MS/ CMO (Ayur)/Staff Surgeon (Dental)	12000-375-16500	PB-3	15600-39100	7600
4.	Specialist Gr.II (Jr. Scale)/ Medical Referee/AMO/IMO Gr.II/SMO(Ayurveda)/Jr. Staff Surgeon (Dental)	10000-325-15200	PB-3	15600-39100	6600
5.	IMO Gr.II/MO(Ayurveda)/ Dental Surgeon/MO (Homeopathy)	8000-275-13500	PB-3	15600-39100	5400
6.	Jr. Bio-Chemist (Non-Medical)	8000-275-13500 10000-15200 (Jr. Scale for Medical personnel)	PB-3 PB-3	15600-39100 15600-39100	5400 6600
Group 'B','C' & 'D'					
7.	Junior Radiographer	3200-85-4900	PB-1	5200-20200	2000
8.	Radiographer	4500-125-7000	PB-1	5200-20200	2800
9.	Sr. Radiographer	5000-150-8000	PB-2	9300-34800	4200
10.	ECG Technician	4000-100-6000	PB-1	5200-20200	2400
11.	Sr. ECG Technician	4500-125-7000	PB-1	5200-20200	2800
12.	Laundry Operator	2650-65-3300-70-4000	-1S	4440-7440	1650

S.No	Name of the Post	Pre-revised Scales (Rs.)	Revised Pay Structure (Rs.)		
			Pay Band	Corresponding Pay Bands	Grade pay
13.	Head Laundry Operator	3050-75-3950-80-4590	PB-1	5200-20200	1900
14.	Laundry Supervisor	4500-125-7000	PB-1	5200-20200	2800
15.	Laundry Manager	6500-200-10500	PB-2	9300-34800	4200
16.	Cook Mate/Bearer/Masalchi	2550-55-2660-60-3200	-1S	4440-7440	1300
17.	Cook	2650-65-3300-70-4000	-1S	4440-7440	1650
18.	Head Cook	2650-65-3300-70-4000	-1S	4440-7440	1650
19.	Steward	4000-100-6000	PB-1	5200-20200	2400
20.	Medical Record Technician (junior)	3050-75-3950-85-4590	PB-1	5200-20200	1900
21.	Medical Record Technician (Senior)	4000-100-6000	PB-1	5200-20200	2400
22.	Medical Record Officer	5500-175-9000	PB-2	9300-34800	4200
23.	Lab Assistant	3200-85-4900	PB-1	5200-20200	2000
24.	Lab Technician	4500-125-7000	PB-1	5200-20200	2800
25.	Sr. Lab Technician	4500-125-7000	PB-1	5200-20200	2800
26.	O.T. Assistant	3050-75-3950-85-4590	PB-1	5200-20200	1900
27.	O.T. Technician	4000-100-6000	PB-1	5200-20200	2400
28.	Sr. O.T. Technician	4500-125-7000	PB-1	5200-20200	2800
29.	STA (OT/CSSD/LAB/ECG/Radiology)	5500-175-9000	PB-2	9300-34800	4200
30.	CSR Assistant	3050-75-3950-80-4590	PB-1	5200-20200	1900
31.	CSR Technician	4000-100-6000	PB-1	5200-20200	2400
32.	Sr. CSR Technician	4500-125-7000	PB-1	5200-20200	2800
33.	Blood Bank Technician	4500-125-7000	PB-1	5200-20200	2800
34.	Sr. Blood Bank Technician	5500-175-9000	PB-2	9300-34800	4200
35.	Nursing Orderly	2550-55-2660-60-3200	-1S	4440-7440	1300
36.	Dresser	2650-65-3300-70-4000	-1S	4440-7440	1650

S.No	Name of the Post	Pre-revised Scales (Rs.)	Revised Pay Structure (Rs.)		
			Pay Band	Corresponding Pay Bands	Grade pay
37.	Plaster Assistant	3200-85-4900	PB-1	5200-20200	2000
38.	Plaster Technician	4000-100-6000	PB-1	5200-20200	2400
39.	Pharmacist (Allopathy/ Ayurvedic/Homoeopathy)	4500-125-7000	PB-1	5200-20200	2800
40.	Senior Pharmacist	5000-150-8000	PB-2	9300-34800	4200
41.	Optometrist/Refractionist	4500-125-7000	PB-1	5200-20200	2800
42.	Sr. Optometrist/Refractionist	5500-175-9000	PB-2	9300-34800	4200
43.	Technical Supervisor (Ophthalmology)	6500-200-10500	PB-2	9300-34800	4200
44.	Physiotherapist	5500-175-9000	PB-2	9300-34800	4200
45.	Sr. Physiotherapist	5500-175-9000 6500-200-10500 (w.e.f. 1-1-2007)	PB-2 PB-2	9300-34800 9300-34800	4200 4200
46.	Occupational Therapist	5500-175-9000	PB-2	9300-34800	4200
47.	Jr. Technician (Orthotic)	3050-75-2950-85-4590	PB-1	5200-20200	1900
48.	Respiratory Laboratory Assistant	4000-100-6000	PB-1	5200-20200	2400
49.	Respiratory Laboratory Technician	4500-125-7000	PB-1	5200-20200	2800
50.	Dietician	6500-200-10500	PB-2	9300-34800	4600
51.	Senior Dietician	8000-275-13500	PB-3	15600-39100	5400
52.	Sr. CSSD Tech	4500-125-7000	PB-1	5200-20200	2800
53.	Tailor	2650-65-3300-70-4000	PB-1S	4440-7440	1650
54.	Linen Mistress	3050-75-3950-80-4590	PB-1	5200-20200	1900
55.	House Keeper	4000-100-6000	PB-1	5200-20200	2400
56.	Electrician	3050-75-3950-80-4590	PB-1	5200-20200	1900
57.	Social Guide/Social Worker	4000-100-6000	PB-1	5200-20200	2400
58.	Auxiliary Nurse Midwife	4000-100-6000	PB-1	5200-20200	2400
59.	Occupational Therapist	4500-125-7000	PB-1	5200-20200	2800

S.No	Name of the Post	Pre-revised Scales (Rs.)	Revised Pay Structure (Rs.)		
			Pay Band	Corresponding Pay Bands	Grade pay
60.	Audiometry Technician	4500-125-7000	PB-1	5200-20200	2800
61.	Dental Technician	4000-100-6000	PB-1	5200-20200	2400
62.	Dental Hygienist	4000-100-6000	PB-1	5200-20200	2400
63.	Mazdoor	2550-55-2660-60-3200	PB-1S	4440-7440	1300
64.	Boiler Attendant	4000-100-6000	PB-1	5200-20200	2400
65.	Metal Worker	3050-75-3950-80-4590	PB-1	5200-20200	1900
66.	Chowkidar	2550-55-2660-60-3200	-1S	4440-7440	1300
67.	Sweeper	2550-55-2660-60-3200	-1S	4440-7440	1300
68.	Head Zamadar (Supervisor for Safai wala)	2650-65-4000	-1S	4440-7440	1650
69.	Lady Health Visitor	4500-125-7000	PB-1	5200-20200	2800
70.	Selection Grade LHV	4500-125-7000	PB-1	5200-20200	2800
71.	Dai	2650-65-4000	-1S	4440-7440	1650
72.	Aya	2550-55-2660-60-3200	-1S	4440-7440	1300
73.	Dark Room Assistant	3050-75-3950-85-4590	PB-1	5200-20200	1900
74.	Havaldar (Supervisor for Nursing Orderlies)	3050-75-3950-85-4590	PB-1	5200-20200	1900
75.	Selection Grade Dresser	2750-70-3800-75-4400	PB-1	5200-20200	1800
76.	Store Keeper/ Pharmacist-cum-Clerk	4500-125-7000	PB-1	5200-20200	2800
77.	Mali	2550-55-2660-60-3200	PB-1S	4440-7440	1300
78.	Ambulance Driver/Delivery Van Driver (Special Grade)	5000-150-8000	PB-2	9300-34800	4200
79.	Ambulance Driver/Delivery Van Driver (Grade-I)	4500-125-7000	PB-1	5200-20200	2800
80.	Ambulance Driver/Delivery Van Driver (Grade-II)	4000-100-6000	PB-1	5200-20200	2400
81.	Ambulance Driver/Delivery Van Driver (Ordinary Grade)	3050-75-3950-80-4590	PB-1	5200-20200	1900

S.No	Name of the Post	Pre-revised Scales (Rs.)	Revised Pay Structure (Rs.)		
			Pay Band	Corresponding Pay Bands	Grade pay
82.	Senior Resident	10325	PB-3	19210	6600
		10650	PB-3	19810	6600
		10975	PB-3	20420	6600
83.	junior Resident	9000	PB-3	16740	5400
NURSING CADRE					
84.	Chief Nursing Officer	10000-325-15200	PB-3	15600-39100	7600
85.	Nursing Superintendent	8000-275-13500	PB-3	15600-39100	6600
86.	D y. Nursing Supdt.	7500-250-12000	PB-3	15600-39100	5400
87.	Assistant Nursing Supdt.	6500-200-10500	PB-3	15600-39100	5400
88.	Nursing Sister	5500-175-9000	PB-2	9300-34800	4800
89.	Staff Nurse	5000-150-8000	PB-2	9300-34800	4600

CHAPTER-XI

Budget allocated under various heads in the ESI Corporation during the year 2009-10, Budget Estimates and Revised Estimates for 2010-11 and the Budget Estimates for 2011-12 are as under:

Head of Account	Actuals 2009-2010	Budget Estimates 2010-2011	Revised Estimates 2010-2011	Budget Estimates 2011-2012
A. REVENUE RECEIPTS :				
(Rupees in Lakhs)				
CONTRIBUTION				
(Employers' & Employees' shares)	389600.19	396090.00	536600.00	580055.00
Interest	111017.11	152339.10	113076.85	103164.20
Compensation	19.09	0.00	0.00	0.00
	(A)			
Rent, Rates & Taxes	6140.42	6659.95	6641.85	6659.70
State Govts. Share	0.00	1000.00	1000.00	1000.00
towards medical benefit intially incurred by the Corporation (except on hospitals with ODCs)		(B)	(B)	(B)
Fees, Fines & Forfeiture	1014.30	846.65	802.20	899.30
Miscellaneous	726.82	515.45	829.60	911.55
TOTAL REVENUE RECEIPT :	508517.93	557451.15	658950.50	692689.75
B. EXPENDITURE				
a) BENEFITS :				
i) Medical Benefits:	162693.06	254025.00	263034.00	358257.05
			(C)	(CC)
ii) Cash Benefits:	42693.20	50964.65	53153.90	58500.35
			(D)	(DD)
iii) Other Benefits:	189.50	271.05	323.60	382.45
Total Benefits:	205575.76	305260.70	316511.50	417139.85
b) Administrative Expenditure	50436.47	67385.15	58147.15	71924.40
c) Hospital & Dispensaries Provision for				
i) Depreciation	4313.74	4745.70	4961.95	4961.95
ii) Repairs & Maintenance	6470.61	7118.55	7442.95	7442.95
iii) Municipal Taxes	487.72	600.00	600.00	700.00
d) RESERVE FUND				
CONTINGENCY RESERVE FUND:	NIL	NIL	NIL	NIL
	(E)	(E)	(E)	(E)
Capital Construction Fund	3896.00	3960.90	5366.00	5800.55
TOTAL EXPENDITURE ON REVENUE ACCOUNT(a+b+c+d)	271180.30	389071.00	393029.55	507969.70
NET EXCESS OF INCOME OVER EXPENDITURE TRANSFRRED / TRANSFERABLE TO ESIC GENERAL RESERVE FUND	237337.63	168380.15	265920.95	184720.05

CHAPTER-XII

ESI Corporation does not run any subsidy programme. However, like any other Central Govt. Department, the ESIC allows its employees and officers some interest free advances such as, festival advance, and fan advance and free liveries to the Class-IV employees as admissible to any other Central Govt. employee.

CHAPTER-XIII

Information relating to the organisation are available in its website www.esic.nic.in

CHAPTER-XIV

PARTICULARS OF FACILITIES AVAILABLE TO CITIZENS FOR OBTAINING INFORMATION.

Any citizen can approach any of the Central Public Information Officers during the working hours seeking any information in regard to the organisation/office. Information can also be seen at the website of ESI Corporation at www.esic.nic.in

CHAPTER-XV

LIST OF CENTRAL PUBLIC INFORMATION OFFICERS

HQRS. OFFICE

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
01.	Shri H.C. Sharma Director CPIO, ESI Corporation, Panchdeep Bhawan CIG Marg, New Delhi-110002	011-23237964	(a) Dr. Surender Kumar Medical Commissioner (Appellate Authority for Medical matters) (b) Shri B.K. Sahu, Insurance Commissioner (Appellate authority for matters other than medical) ESI Corporation, Panchdeep Bhawan, CIG Marg, New Delhi-110002	011-23236496 011-23239987
02.	Transparency Officer Sh. Jose Cherian Commissioner (NTA) NRPO Building, EPFO Complex, Sector-23, Dwarka, New Delhi-110077			

REGIONAL OFFICES

01.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, 5-9-23 Hill Fort Road, Hyderabad (Andhra Pradesh)-500483	040-23234319, 23231987 (R) Fax: 23235048 esichyd@ap.nic.in rd-ap@esic.nic.in	Regional Director, ESI Corporation, Panchdeep Bhawan, 5-9-23 Hill Fort Road, Hyderabad, Andhra Pradesh-500483	040-23234319, 23231987 (R) Fax: 23235048
02.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, P.O. Bamuni Maidan, Guwahati (Assam)-781021	0361-2550357, 2550075 (R) esic@gul.dot.not.in www.esicner.org rd-assam@esic.nic.in		

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
03.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Baily Road, Opp. C.R. Building, Patna (Bihar)-800001	0612-2533314 root@esic.bin.nic.in rd-bihar@esic.nic.in	Regional Director, ESI Corporation, Panchdeep Bhawan, Baily Road, Opp. C.R. Building, Patna (Bihar)-800001	0612-2533314 root@esic.bin.nic.in rd-bihar@esic.nic.in
04.	Dy. Director (Admn.) Regional Office, ESI Corporation, Hospital Complex, Namkum, Ranchi-834010 (Jharkhand)	0651-2261919 rd-jharkhand@esic.nic.in	Regional Director, Regional Office, ESI Corporation, Hospital Complex, Namkum, Ranchi-834010 (Jharkhand)	0651-2261569 rd-jharkhand@esic.nic.in
05.	Dy. Director (Admn.) ESI Corporation, H. No. 23, Choubey Colony, Raipur (Chhattisgarh)	0771-2257598 (F), 0771-2254589 (T) rd-cqarh@esic.nic.in	Regional Director ESI Corporation, H. No. 23 Choubey Colony, Raipur (Chhattisgarh)	0771-2257598 (F) 0771-2254589 (T) rd-cgarh@esic.nic.in
06.	Dy. Director (Admn.) ESI Corporation, D.D.A. Shopping Cum-Office Complex, Rajendra Place, New Delhi-110008	011-25734381 residel@bol.net.in rd-delhi@esic.nic.in	Regional Director ESI Corporation, D.D.A. Shopping Cum-Office Complex, Rajendra Place, New Delhi-110008	011-25745044 rdesidel@bol.net.in rd-delhi@esic.nic.in
07.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Illrd floor, EDC, Plot No. 23, Patto, Panjaji, Goa-403001	0832-2438858 (Tele Fax) 0832-2438859-DD (Fin.) esicgoa@goatelecom.com rd-goa@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, Illrd floor, EDC, Plot No. 23, Patto, Panaji, Goa-403001	0832-2438858 (Tele Fax) 0832-2438859-DD (Fin.) esicgoa@goatelecom.com rd-goa@esic.nic.in
08.	Dy. Director (Admn.) ESI Corporation, Ashram Road, Ahmedabad (Gujarat)-380014.	079-27540544, 079-25740498 esiabd@adl.vsnl.net.in www.esic.gujarat.org rd-gujrat@esic.nic.in	Regional Director ESI Corporation, Ashram Road, Ahmedabad (Gujarat)-380014.	079-27540544, 079-25740498 esiabd@adl.vsnl.net.in www.esic.gujarat.org rd-gujrat@esic.nic.in
09.	Dy. Director (Admn.) ESI Corporation, H. No. 5, N.I.T. Sector-16, Faridabad-121002 Haryana	0129-2284728, 2282442, 0129-2264078 (F) esicfdb@nicfdb.chd.nic.in rd-haryana@esic.nic.in	Regional Director ESI Corporation, H. No. 5, N.I.T. Sector-16, Faridabad-121002 Haryana	0129-5075021 rd-haryana@esic.nic.in
10.	Dy. Director (Admn.) ESI Corporation, Near ESI Hospital Parwanoo (H.P.)	01792-235057, 235056 dir-parwanoo@esic.nic.in	Regional Director ESI Corporation, Near ESI Hospital Parwanoo (H.P.)	01792-235057, 235056 dir-parwanoo@esic.nic.in

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
11.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Ground Floor, 11-A, Shastri Nagar Ext. (J&K)	01912459568 rd-jnk@esic.nic.in	Regional Director ESI Corporation, Panchdeep 8hawan, Ground Floor, 11-A, Shastri Nagar Ext. (J&K)	01912459568 rd-jnk@esic.nic.in
12.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, No. 10, Binny Peth, Binny Fields, Bangalore-560023 (Karnataka)	080-26740764, 080-26741307 (F) esicbnq@kar.nic.in rd-karnataka@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, No. 10, Binny Peth, Binny Fields, Bangalore-560023 (Karnataka)	080-26740764, 080-26741307 (F) esicbng@kar.nic.in rd-karnataka@esic.nic.in
13.	Dy. Director (Admn.) ESI Corporation, Niketan Shoppee, Sarvoday Circle, Keshwapur, Hubli-580023 (Karnataka-Hubli)	0836-2354627 esihbl@vsnl.com dir-hubli@esic.nic.in	Regional Director ESI Corporation, Niketan Shoppee, Sarvoday Circle, Keshwapur, Hubli-580023 (Karnataka-Hubli)	0836-2354627 esihbl@vsnl.com dir-hubli@esic.nic.in
14.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, North Swaraj Round, Thrissur-680020 (Kerala)	0487-2331241, 0487-2338441 (F) rdesikerala@dataone.in rd-kerala@esic.nic.in www.esickerala.gov.in	Regional Director ESI Corporation, Panchdeep Bhawan, North Swaraj Round, Thrissur-680020 (Kerala)	0487-2331241, 0487-2338441 (F) rdesikerala@dataone.in rd-kerala@esic.nic.in www.esickerala.gov.in
15.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Nanda Nagar, Indore-452008 (M.P.)	0731-2550485 rd-mp@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, Nanda Nagar, Indore-452008 (M.P.)	0731-2550485 rd-mp@esic.nic.in
16.	Dy. Director (Admn.) Regional Office, ESI Corporation, N.M. Joshi Marg Lower Parel Mumbai-400013 (Maharashtra)	022-24933329, 022-24925352 (F) Karabini@vsnl.com rd-maharashtra@esic.nic.in	Regional Office, ESI Corporation, N.M. Joshi Marg, Lower Parel, Mumbai-400013 (Maharashtra)	022-24933329, 24925352 (F) Karabini@vsnl.com rd-maharashtra@esic.nic.in
17.	Dy. Director (Admn.) ESI Corporation, Site No. 689/690, Bibe Wadi, Pune-411037 (Maharashtra-Pune)	020-24218710, 24215153 (F) esipune@mah.nic.in dir-pune@esic.nic.in	Regional Director, ESI Corporation, Site No. 689/690, Bibe Wadi, Pune-411037 (Maharashtra-Pune)	020-24218710, 24215153 (F) esicpune@mah.nic.in dir-une@esic.nic.in

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
18.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, C, Janpath Unit No. IX Bhubaneshwar-751007 (Orissa)	0674-2540207 (T/F) esicbbsr@vsnl.net rd-orissa@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, Plot C, Janpath Unit No. IX Bhubaneshwar- 751007 (Orissa)	0674-2540207 (T/F) esicbbsr@vsnl.net rd-orissa@esic.nic.in
19.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Block No. 3, Sector-19-A, Madhya Marg, Chandigarh-160020	0172-2544126 (T), 2542892 (F) esicpb@chl.dot.net.in rd-pun_jab@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, Block No. 3, Sector-19-A, Madhya Marg, Chandigarh- 160020	0172-2544126 (T), 2542892 (F) esicpb@chl.dot.net.in rd-punjab@esic.nic.in
20.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Bhawani Singh Marg, Jaipur-302200 (Rajasthan)	0141-2381631 esicpr@ra.i.nic.in rd-rajasthan@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, Bhawani Singh Marg, Jaipur-30200 (Rajasthan)	0141-2381631 esicpr@raj.nic.in d-rajasthan@esic.nic.in
21.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, 143, Sterling Road Chennai-600034 (T.N.)	044-28279952 esictno@vsnl.com rd-tamilnadu@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, 143, Sterling Road, Chennai-600034 (T.N.)	044-28279952 esictno@vsnl.com rd-tamilnadu@esic.nic.in
22.	Dy. Director (Admn.) ESI Corporation, ESIC Complex, Bouvankare Street, Mudaliarpet, Puducherry-605004	0413-2357642, 0413-2357662 (Fax) rd-pondi@esic.nic.in	Regional Director ESI Corporation ESIC Complex, Bouvankare Street, Mudaliarpet, Puducherry-605004	0413-2354268 (R.D.) 0413-2357642 0413-2357662 (Fax) rd-pondi@esic.nic.in
23.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, Sarvodaya Nagar, Kanpur-208005 (U.P.)	0512-2217957 esic@knp.nic.in rd-up@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, Sarvodaya Nagar, Kanpur-208005 (U.P.)	0512-2217957 esic@knp.nic.in rd-up@esic.nic.in
24.	Dy. Director (Admn.) ESI Corporation, Panchdeep Bhawan, at ESI Dispensary Prem Nagar Dehradun (Uttanchal)	0135-2774763, 2774762 rd-uchal@esic.nic.in	Regional Director ESI Cororation, Panchdeep Bhawan, at ESI Dispensary Prem Nagar, Dehradun (Uttanchal)	0135-2774763, 2774762 rd-uchal@esic.nic.in

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
25.	Dy. Director (Admn.) ESI Corporation Panchdeep Bhawan, 5/1, Grant Lane, Calcutta-700012. (West Bengal)	033-22259236 Join5279@datoone.in rd-westbengal@esic.nic.in	Regional Director ESI Corporation, Panchdeep Bhawan, 5/1, Grant Lane, Calcutta-700012 (West Bengal)	033-22259236 Join5279@dataone.in rd-westbengal@esic.nic.in

SUB-REGIONAL OFFICE

01.	Asstt. Director/Dy. Director (Admn.) SRO Vadodra, ESI Corporation, Urmil Society, ESI Dispensary, No. D-1, Alka Puri, Baroda-452008	0265-2324446, 2324442 dir-vadodara@esic.nic.in	Joint Director I/c. SRO Vadodara, ESI Corporation, Urmil Society, ESI Dispensary, No. D-1, Alka Puri, Baroda-452008	0265-2324446, 2324442 dir-vadodara@esic.nic.in
02.	Asstt. Director/Dy. Director (Admn.) SRO Surat, ESI Corporation, ESI Hospital Complex, Majura Gate, Ring Road, Surat-395001	0261-23233195, 23233201 dir-surat@esic.nic.in	Joint Director I/c. SRO Surat, ESI Corporation, ESI Hospital Complex, Majura Gate, Ring Road, Surat-395001	0261-23233195, 23233201 dir-surat@esic.nic.in
03.	Assistant Director/Dy. Director (Admn.) Sub-Regional Office, ESI Corporation, Plot No. 47, Sector-34, Near Hero Honda Chowk, Gurgaon-122001, Haryana	0124-2370270 (T/F). Esicggn@gmail.com sro-gurgaon@esic.nic.in	Jt. Director I/c. Sub-Regional Office, ESI Corporation, Plot No. 47, Sector-34, Near Hero, Honda Chowk, Gurgaon-122001, Haryana	0124-2370270 (T/F) Esicggn@gmail.com sro-gurgaon@esic.nic.in
04.	Asstt. Director/Dy. Director (Admn.) Sub-Regional Office 8, Model Town (Ambala)	Tel. 0171-2521447 Fax : 0171-2521943 sro-ambala@esic.nic.in	Jt. Director 8, Model Town Amabala City, Haryana	Tel. 0171-2521447 Fax 0171-2521943 sro-ambala@esic.nic.in
05.	Asstt. Director/Dy. Director (Admn.) SRO Marol ESI Corporation, Panchdeep Bhawan, Plot No. 9 Road No. 7 MIDC, Moral, Andheri (East) Mumbai-400093	022-28270207, 2571880 (D), 2570464 dir-marol@esic.nic.in	Director SRO Marol ESI Corporation, Panchdeep Bhawan, Plot No. 9 Road No. 7 MIDC, Moral, Andheri (East) Mumbai-400093	022-28270207, 2571880 (D), 2570464 dir-marol@esic.nic.in

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
06.	Asstt. Director/Dy. Director (Admn.) SRO Nagpur, ESI Corporation, Panchdeep Bhawan, Ganesh Peth, Nagpur-440018	0712-2722987, 2729359 (F) esicngp@nagpur.dot.net.in dir-nagpur@esic.nic.in	Jt. Director (I/c) SRO Nagpur, ESI Corporation, Panchdeep Bhawan, Ganesh Peth, Nagpur-440018	0712-2722987, 2729359 (F) esicngp@nagpur.dot.net.in dir-nagpur@esic.nic.in
07.	Asstt. Director/Dy. Director (Admn.) SRO Madurai, ESI Corporation, 4th Main Road, K.K. Nagar, Madurai-625020	0452-2650989, 2531255 esimdu@vsnl.com dir-madurai@esic.nic.in	Additional Commissioner SRO Madurai, ESI Corporation, 4th Main Road, K.K. Nagar, Madurai-625020	0452-2650989, 2531255 esimdu@vsnl.com dir-madurai@esic.nic.in
08.	Asstt. Director/Dy. Director (Admn.) SRO Coimbatore, ESI Corporation, Sub-Regional Office, Coimbatore, Panchdeep Complex, 1897, Trichy Road, Ramanathapuram Coimbatore-641045	0422-2314430/2316430 jtldr@md5.vsnl.net.in dir-kovai@esic.nic.in	Jt. Director (I/c.) SRO Coimbatore, ESI Corporation, Sub-Regional Office Coimbatore, Panchdeep Complex, 1897, Trichy Road, Ramanathapuram Coimbatore-641045	0422-2314430/2316430 jtldr@md5.vsnl.net.in dir-kovai@esic.nic.in
09.	Asstt. Director/Dy. (Admn.) SRO Tirunelveli, ESI Corporation, Municipal Shopping Complex Sindhupoonthurai, Tirunelveli-627001	0462-2332107 (Fax) 0462-2332105 sro-tirunelveli@esic.nic.in	Director SRO Tirunelveli, ESI Corporation, Municipal Shopping Complex Sindhupoonthurai, Tirunelveli-627001	0462-2332107 (Fax) 0462-2332105 sro-tirunelveli@esic.nic.in
10.	Asstt. Director/Dy. Director (Admn.) SRO NOIDA, ESI Corporation, B-38B, Sector-57, NOIDA-201301	0120-2584445 sro-noida@esic.nic.in	Director SRO NOIDA, ESI Corporation, B-38B, Sector-57, NOIDA-201301	0120-2584445 sro-noida@esic.nic.in
11.	Assistant Director/Dy. Director (Admn.) SRO Varanasi ESI Hospital Complex Pandey Pur Varanasi-221002	0542-2506728 sro-varanasi@esic.nic.in	Jt. Director I/c. Assistant Director/ Dy. Director (Admn.) SRO Varanasi ESI Hospital Complex Pandey Pur Varanasi-221002	0542-2500115 0542-2506728 sro-varanasi@esic.nic.in

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
12.	Asstt. Director/Dy. Director (Admn.) SRO Barrackpore, ESI Corporation 2nd Floor, Sanchi Tower 177 F, B.T. Road, Sodepur P.O. Panihati, Kolkata-700114 Distt. 24 Parganas (North) West Bengal	22259236 (F) dir-boire@esic.nic.in	Jt. Director (I/c.) SRO Barrackpore, ESI Corporation 2nd Floor, Sanchi Tower 177 F, B.T. Road, Sodepur P.O. Panihati, Kolkata-700114 Distt. 24 Parganas (North) West Bengal	22259236 (F) dir-boire@esic.nic.in
13.	Asstt. Director/Dy. Director (Admn.), SRO Aurangabad Sub-Regional Office, P-16, ESIS Hospital Complex, Naragaon Road, Chikalthana Aurangabod-431210 (Maharashtra)	Tel.: 0240-2483144 (T/F) 024 -2485949	Jt. Director I/c. Sub-Regional Office, P-16, ESIS Hospital Complex, Naragaon Road, Chikalthana Aurangabod-431210 (Maharashtra)	Tel. . 0240-2483144 (T/F) 024 -2485949
14.	Asstt. Director/Dy. Director (Admn.) SRO Thane ESI Hospital Complex, 5th Floor, Wagle Estate, Thane-400604	022-25805222 022-25806131 (F) dir-thane@esic.nic.in esicthane@mtnl.net.in	Jt. Director ESI Corporation, ESI Hospital Complex, 5th Floor, Wagle Estate, Thane-400604	022-25805222 022-25806131 (F) dir-thane@esic.nic.in esicthane@mtnl.net.in
15.	Asstt. Director/Dy. Director (Admn.) SRO Peenya ESI Corporation, Harini Towers, 8th Cross, 3rd Main, Off. Ring Road, (Near FTI) II Stage, Industrial Suburb, Yeshwanthpur, Bangalore	080-23376821/2337683 (T) 080-23376841 (F) 080-23373917 (J.D's NO.) sro-peenya@esic.nic.in	Director Sub Regional Office ESI Corporation, Harini Towers, 8th Cross, 3rd Main, Off. Ring Road, (Near FTI) II Stage, Industrial Suburb, Yeshwanthpur, Bangalore	080-23376821/23376831 (T) 080-23376841 (F) 080-23373917 (J.D's No.) sro-peenya@esic.nic.in
16.	Asstt. Director/Dy. Director (Admn.) SRO Bommasondra E.S.I. Corporation, No. 23, 9th 'B' & C Main, B.T.M. Ring Road, Opp. Indian Oil Petrol Bunk, Bangalore	sro-bommosandra@esic.nic.in	Director Sub-Regional Office, E.S.I. Corporation, No. 23, 9th 'B' & C Main, B.T.M. Ring Road, Opp. Indian Oil Petrol Bunk, Bangalore	sro-bommosandra@esic.nic.in

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17.	Asstt Director/Dy. Director (Admn.), SRO Vijayawada Sub-Regional Office, ESI Corporation, S-14-20-27 Padamnabha Buildings, 2nd Floor, Gandhi Nagar, Vijaywada-520003 (A.P.)	Tel. : 0866-2571880 (D) Fax : 0866-2570464 dir-bza@esic.nic.in dir-bza@esic.nic.in	Director-I/c. Sub-Regional Office, ESI Corporation, S-14-20-27 Padamnabha Buildings, 2nd Floor, Gandhi Nagar, Vijaywada-520003 (A.P.)	0866-2571880 (D), Fax : 0866-2570464
18.	Asstt. Director/Dy. Director (Admn.) Sub-Regional Office (Vishakhapatnam) NTR Sahakara Bhawan, D. No. 58-14-57/1, II Floor, Marripalem, Vuda Layout, Vishakhapatnam-530009	0891-2733219 (T) 0891-2733126 (T) 0891-2796635 (F) sro-vizag@esic.nic.in	Sub-Regional Office, NTR Sahakara Bhawan, D. No. 58-14-57/1, II Floor, Marripalem, Vuda Layout, NAD (Post) Vishakhapatnam-530009	0891-2733219 (T) 0891-2733126 (T) 0891-2796635 (F) sro-vizag@esic.nic.in
19.	Asstt. Director/Dy. Director (Admn.) SRO Ludhiana (Punjab) SCF 22, 23, Phase-II, Focal Point, Ludhiana Punjab	0161-2670838-41 0161-2670839 (Fax) sro-ludhiana@esic.nic.in	Director I/c. ESI Corporation, Sub-Regional Office, SCF 22, 23, Phase-II, Focal Point, Ludhiana Punjab	0161-2670838-41 0161-2670839 (Fax) sro-ludhiana@esic.nic.in
20.	Asstt. Director/Dy. Director (Admn.) SRO Udaipur 5, Bhupalpura, (R.K. Plaza), Near Shastri Circle, Udaypur (Rajasthan) Pin-313001	0294-2418807 Sro-udaipur@esic.nic.in	Jt. Director, I/c. Sub-Regional Office ESIC 5, Bhupalpura, (R.K. Plaza), Near Shastri Circle, Udaypur (Rajasthan) Pin-313001	0294-2418807 Sro-udaipur@esic.nic.in
21.	Asstt. Director/Dy. Director (Admn.) SRO Rohini, ESI Corporation, Sector-7, Near Sai Baba Mandir, Rohini, New Delhi	Tel. 011-27048945 011-27056510 (T/F) 011-27040347 do-rohini@esic.nic.in	Jt. Director, I/c. ESI Corporation, Sector-7, Near Sai Baba Mandir, Rohini, New Delhi	Tel. 011-27048945 011-27056510 (T/F) 011-27040347 do-rohini@esic.nic.in
22.	Asstt. Director/Dy. Director (Admn.) SRO Okhla, New Delhi ESI Hospital Campus, Okhla, Maa Anand Mai Marg, New Delhi	Tel. 011-26813811 011-26371775 011-26811288 do-okhla@esic.nic.in	Director. I/c. ESI Corporation, ESI Hospital Campus, Okhla, Maa Anand Mai Marg, New Delhi.	Tel. 011-26813811 011-26371775 011-26811288 do-okhla@esic.nic.in

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
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DIVISIONAL OFFICES

01.	Asstt. Director/Dy. Director (Admn.) Divisional Office, Nanadnagari, ESI Corporation, Divisional Office, Delhi-110093	011-2213948 nandnagari@esic.nic.in	Joint Director I/c. Divisional Office, Nandnagari, ESI Corporation, Nandnagari, Delhi-110093	011-2213948 rohini@esic.nic.in
02.	Asstt. Director/Dy. Director (Admn.) Divisional Office, 1/3 & 1/4, Pal Link Road, Jodhpur-342008	0291-275003/004/005	Jt. Director, I/c. Divisional Office, 1/3 & 1/4, Pal Link Road, Jodhpur-342008	0291-275003/004/005
03.	Asstt. Director/Dy. Director-(Admn.) Divisional Office #15, Arihant Nagar, Sedam Road, Gulbarga-585103	08472-278478 08472-278479 sro-gulbarga@esic.nic.in	Joint Director I/c. ESI Corporation, Divisional Office, #15, Arihant Nagar, Sedam Road, Gulbarga-585103	08472-278478 08472-278479 sro-gulbarga@esic.nic.in

ESI MODEL HOSPITALS

01.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital, Bharat Chowk, LUDHIANA	0161-2772435/36	Medical Superintendent, ESI Model Hospital Bharat, Chowk, LUDHIANA	0161-2772435/36
02.	Asstt. Director/Dy. Director (Admn.) ESI Hospital, Lakshmi Nagar, Ajmer Road, JAIPUR-6, Rajasthan	0141-2228040, 2223579	Medical Superintendent, ESI Model Hospital, Lakshmi Nagar, Ajmer Road, JAIPUR-6, Rajasthan	0141-2228040, 2223579
03.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital, Namkum, Ranchi, Jharkhand	0651-2261919, 0651-2261917	Medical Superintendent, ESI Model Hospital, Namkum, Ranchi, Jharkhand	0651-2261919, 0651-2261917
04.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital, Nacharam Hyderabad, Andhra Pradesh	040-27173161 (T) 040-27153348 (F)	Medical Superintendent, ESI Model Hospital, Nacharam Hyderabad, Andhra Pradesh	040-27173161 (T) 040-27153348 (F)

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
05.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital Asramam KOLLAM- 691002 (Kerala)	0474-2742833, 0474-2768837	Medical Superintendent, ESI Model Hospital Asramam KOLLAM- 691002 (Kerala)	0474-2742833, 0474-2768837
06.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital, Bari Brahma, JAMMU (J&K)	0191-2452534	Medical Superintendent, ESI Model Hospital, Bari Brahma, JAMMU (J&K)	2452534
07.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital Phulwari Sharif, PATNA (Bihar)	0612-2251276(T) 0612-2251260 (F)	Medical Superintendent, ESI Model Hospital, Phulwari Sharif, PATNA (Bihar)	0612-2251276(T) 0612-2251260 (F)
08.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital Beltola Guwahati-22 (Assam)	0361-2261082	Medical Superintendent, ESI Model Hospital Beltola Guwahati-22 (Assam)	0361-2261082
09.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital 3rd Block, Rajajinagar, Bangalore-10 (Karnataka)	080-3324112 080-3325130	Medical Superintendent, ESI Model Hospital 3rd Block, Rajajinagar, Bangalore-10 (Karnataka)	080-3324112 080-3325130
10.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital, Distt. Sundargarh, Rourkela, ORISSA.	0661-2512936	Medical Superintendent, ESI Model Hospital Distt. Sundargarh, Rourkela, ORISSA.	0661-2512936
11.	Asstt. Director/Dy. Director (Admn.) ESI Model Hospital General Hospital, Bapunagar AHMEDABAD, Gujarat	079-22742681, 079-22741886	Medical Superintendent, ESI Model Hospital General Hospital, Bapunagar AHMEDABAD, Gujarat	079-22742681, 079-22741886
12.	Asstt. Director/Dy. Director (Admn.) ESI Hospital, Gorimedu, PONDICHERRY	0413-2272173	Medical Superintendent, ESI Hospital, Gorimedu, PONDICHERRY	0413-2272173

Sl. No.	CPIO's Designation and Address	Telephone No. and E-mail	Designation and Address First Appellate Authority	Telephone No. and E-Mail
13.	Asstt. Director/Dy. Director (Admn.) ESI Hospital Cum ODC., Thakurpukur, D.H. Road, P.O. Joka, 24 PARGANAS DISTT.-743512	033-24672799 033-24676280 033-24671764	Medical Superintendent, ESI Hospital Cum ODC., Thakurpukur, D.H. Road, P.O. Joka, 24 PARGANAS DISTT.-743512	033-24672799 033-24676280 033-24671764
14.	Asstt. Director/Dy. Director (Admn.) ESI Hospital, Ring Road, Basaidarapur, New Delhi-110015	011-25100664	Medical Superintendent, ESI Hospital, Ring Road, Basaidarapur New Delhi-110015.	011-25100664
15.	Asstt. Director/Dy. Director (Admn.) ESI Hospital Rohini, Sector-15, New Delhi-110085	011-2786033	Medical Superintendent, ESI Hospital Rohini, Sector-15, New Delhi-110085	011-2786033
16.	Asstt. Director/Dy. Director (Admn.) ESI Hospital, Jhilmil Colony, Delhi-110095	011-22151321	Medical Superintendent, ESI Hospital, Jhilmil Colony, Delhi-110095	011-22151321
17.	Asstt. Director/Dy. Director (Admn.) ESIC Model Hospital, K.K. Nagar, Chennai	044-24893714	Medical Superintendent, ESI Model Hospital, K.K. Nagar, Chennai	044-24893714
18.	Asstt. Director/Dy. Director (Admn.) Nanda Nagar, Indore (M.P.)	07366-241603	Medical Superintendent, ESIC Hospital, Nanda Nagar Indore (M.P.)	07366-241603
19.	Asstt. Director/Dy. Director (Admn.) ESIC Model Hospital Okhla, New Delhi	011-26814161	Medical Superintendent, ESI Model Hospital Okhla, New Delhi	011-26814161

ANNEXURES

EMPLOYEES' STATE INSURANCE CORPORATION
(As on 31.3.2011)

CHAIRMAN
Minister of Labour & Employment
Govt. of India

VICE-CHAIRMAN
SECRETARY,
Ministry of Labour and Employment,
Govt. of India

MEMBERS

Additional Secretary/ Joint Secretary, Social Security Division, Ministry of Labour and Employment, Govt. of India, New Delhi.	Director, Social Security Division, Ministry of Labour and Employment, Govt. of India, New Delhi.	Shri Bhimarao Tegalathippi, H.No.135/B, Opposite Darga Gubbi Colony, Sedam Road Post Office, Near RTO Office, Gulbarga-585105 (Karnataka)
Shri Venkatesh U.B., S/o Late Vaasudeva Rao, R/O 99, Second Cross, 3 rd Main, 4 th Phase, J.P. Nagar, Bangalore-560078 (Karnataka)	Ch. Mahipal Singh, Senior Advocate, C/o Shri Seva Ram, Advocate, Village & Post Rooppuri Kapoorpur, District-Saharanpur(U.P.)	
Shri Rama Chandra Khuntia, Member of Parliament, (Rajya Sabha) 26, Dr. R.P. Road, New Delhi-110001.	Shri Chandrakant Bhaurao Khaire, Member of Parliament (Lok Sabha), 2, Teen Murti Lane, New Delhi-110011.	Shri N. Peethambara Kurup Member of Parliament (Lok Sabha) 188, South Avenue, New Delhi.
(EMPLOYERS' REPRESENTATIVES)		
Shri Babulal B. Todi, Managing Director (AIMO), Todi Industries Ltd., Todi Estate, Sun Mill Compound, Lower Parel, Mumbai-400013.	Shri M.K. Garg, Chief Advisor (HR) Assocham, 1, Community Centre, Zamrudpur, New Delhi-110048.	Shri B.C. Prabhakar, President, Karnataka Employers' Association, (CIE) 74, Shankara Arcade, Vani Vilas Road, Baravanagudi, Bangalore-560004.
Shri Michael Dias, Secretary, The Employers' Association, Delhi, (CIE) 54, Kailash Kunj, Greater Kailash-I, New Delhi-110048.	Dr. U.D. Choubey, Director General, SCOPE (CIE), SCOPE Complex, 7, Lodhi Road, New Delhi-110003.	Shri K. Ramachandran Pillai, Chairman, & Managing Director, National Textile Corporation, (CIE) Scope Complex, 7, Lodhi Road, New Delhi-110003.
Shri Rama Kant Bharadwaj, National Secretary, Laghu Udyog Bharati, 214, Industrial Area, Phase-I, Panchkula, Haryana.	Shri Vijay Kalantri, President, All India Association of Industries, New Excelsior Building, 6 th Floor, A.K. Nayak Marg, Fort, Mumbai-400001	Shri Dipak Sarkar, National President, FASII, "SWAPAN VILLA", 87/48-A, Bose Pukur Road, Kolkata 700042.
Shri R.P. Jhalani, Chairman, HR & Industrial Relations Committee, PHD Chamber of Commerce and Industry, PHD House, 4/2, Siri Institutional Area, August Kranti Marg, New Delhi-110016.		

(EMPLOYEES' REPRESENTATIVES)

Shri Ram Kishore Tripathi,
Secretary, HMS,
128/239, K Block,
Kidwai Nagar,
Kanpur-208001.

Shri Kali Ghose,
General Secretary,
West Bengal State Committee of
CITU, Shramik Bhawan,
53, Acharya Jagadish Bose Road,
Kolkata-700016.

Shri S Mallesham
General Secretary,
BMS (AP State),
LIG-75, Dharma Reddy Colony-I
KPHB Colony, Opp. Mandal Office
Kukatpally, Hyderabad-72 (A.P.)

Shri Srikant Awasthi,
Resident Secretary, BMS (UP State)
2, Navin Market,
Kanpur-208001.

Shri Ajit Sripad Kulkarni,
General Secretary,
BMS (Maharashtra) 91, Meera
Nagar, Jule, Solapur-413004.

Shri Dilip Bhattacharjee,
All India United Trade Union Centre,
HQ. 77/2/1, Lenin Sarani,
Kolkata-700013.

Dr. G. Sanjeeva Reddy,
President, INTUC,
6-LIG-H, Barkathpera
Hyderabad-500027.

Shri Chandra Prakash Singh,
Organising Secretary, INTUC,
Road No. 3, Rajeev Nagar,
Patna-800024.

Shri Jyoti Lahiri,
Joint Secretary,
West Bengal State Committee of
AITUC, 50/1, Nirmal Chandra Street,
Kolkata-700012.

Shri K. Suresh Babu,
National Secretary, INTUC,
INTUC Office, Congress Bhawan,
Kollam, Kerala.

(REPRESENTATIVES OF MEDICAL PROFESSION)

Dr. Vinay Aggarwal
A-14-15, Pushpanjali
Vikas Marg Extn.
Delhi-110092.

Vaid Devender Triguna,
President, All India Congress,
Dhanwantri Bhawan,
Road No. 66, Punjabi Bagh,
New Delhi.

(REPRESENTATIVES OF STATE GOVERNMENTS)

Secretary/Commissioner/Principal Secretary/Special Commissioner/Special Secretary/Resident Commissioners of Govts. of Andhra Pradesh, Assam, Bihar, Chhatisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, NCT Delhi, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Uttar Pradesh, Uttrakhand & West Bengal.

EX-OFFICIO MEMBER
Director General
Employees' State Insurance Corporation

STANDING COMMITTEE
(As on 31.3.2011)

CHAIRMAN

Secretary
Ministry of Labour & Employment
Govt. of India

MEMBERS

Joint Secretary,
Ministry of Labour and Employment,
Govt. of India,
New Delhi.

Shri Bhimarao Tegalathippi,
H.No.135/B, Opposite Darga
Gubbi Colony, Sedam Road Post
Office, Near RTO Office,
Gulbarga-585105 (Karnataka)

Shri Rama Chandra Khuntia,
Member of Parliament, (Rajya Sabha)
26, Dr. R.P. Road,
New Delhi-110001.

(EMPLOYERS' REPRESENTATIVES)

Shri Babulal B. Todi,
Managing Director (AIMO),
Todi Industries Ltd.,
Todi Estate, Sun Mill Compound,
Lower Parel,
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Shri M.K. Garg,
Chief Advisor (HR),
Assocham,
1, Community Centre, Zamrudpur,
New Delhi-110048.

Shri Michael Dias,
Secretary,
The Employers' Association, Delhi,
(CIE) 54, Kailash Kunj, Greater
Kailash-I, New Delhi-110048.

(EMPLOYEES' REPRESENTATIVES)

Shri Jyoti Lahiri,
Joint Secretary,
West Bengal State Committee of
AITUC, 50/1, Nirmal Chandra Street,
Kolkata-700012.

Shri S. Malleshram,
General Secretary,
BMS (AP State),
LIG-75, Dharma Reddy Colony-I,
KPHB Colony, Opp. Mandal Office
Kukatpally, Hyderabad-72 (A.P.)

Dr. G. Sanjeeva Reddy,
President, INTUC,
6-LIG-H, Barkathpera
Hyderabad-500027.

(REPRESENTATIVE OF MEDICAL PROFESSION)

Dr. Vinay Aggarwal
A-14-15, Pushpanjali Vikas Marg Extn.
Delhi-100092.

(REPRESENTATIVES OF STATE GOVERNMENTS)

Commissioner/Secretary of State Govt. of Assam, Bihar & Karnataka

Ex-Officio Member
Director General
Employees' State Insurance Corporation

MEDICAL BENEFIT COUNCIL
(As on 31.3.2011)

CHAIRMAN

The Director General
ESI Corporation (Ex-Officio)

CO-CHAIRMAN

Director General, Health service
Govt. of India

MEMBERS

Medical Commissioner,
ESI Corporation,
New Delhi (Ex-Officio).

(EMPLOYERS' REPRESENTATIVES)

Ms. Keka Sharma, Secretary,
Bharat Chamber of Commerce,
9, Park Mansions, 2nd Floor,
57-A, Park Street,
Kolkata-700016.

Shri S.A. Khan,
Head (HR and CA),
Standing Committee of Public
Enterprises (SCOPE), SCOPE
Complex, Core-8, First Floor, 7,
Lodhi Road, New Delhi-110003.

Shri C.A. Karnik,
Director-HR,
Forbes and Co. Limited,
Forbes Building, Charanjit Rai Marg,
Mumbai-400001.

(EMPLOYEES' REPRESENTATIVES)

Shri Kallol Bhattacharya,
State Vice-President,
Bhartiya Mazdoor Sangh
(Andhra Pradesh),
C-21, SPM Old Colony,
Sirpur Kagaz Nagar-504296,
District Adilabad(AP).

Shri G. Kalan, President,
INTUC, Tamil Nadu State,
G.R. Bhawan, 87,
Royapettah High Road,
Chennai-600014.

Shri Jyoti Lahri, Secretary,
West Bengal Committee of AITUC,
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Kolkata-700012.

(REPRESENTATIVES OF MEDICAL PROFESSION)

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Vikas Marg Extn.,
Delhi-110092.

Prof. Vd. Dinanath Upadhyay,
Shamial Complex,
Tower - A, 1st Floor, Flat E-1,
Station Road, Opp. Bhayandar
Station (W), District Thane
(Maharashtra) 401101

Dr. (Smt.) Kashika Dogra,
81, Saheed Udham Singh Nagar,
Jalandhar 144001.

Representatives of State Governments

Director/Administrative Medical Officer/Labour Commissioner of the State Govts. of Andhra Pradesh, Assam, Bihar, Chhatisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Utrakhnad, Uttar Pradesh, & West Bengal.

F.No. Z-11016/I/2009-Adm-III
Bharat Sarkar / Government of India
Shram Aur Rozgar Mantralaya / M/o Labour & Employment

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated the 19th 2009

To

The Head of Offices of all Attached, Subordinate & Autonomous Bodies under the Ministry of Labour & Employment.

Subject: Guide on the Right to Information Act, 2005.

Sir / Madam,

I am directed to forward herewith a copy of Office Memorandum No. 1/4/2009-IR dated 5th October, 2009 received from Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, on the subject cited above, for information please.

Yours faithfully



(Arvind Kumar)
Section Officer
Tel. 23317679
Auto : 2390

Copy to:

- (i) All Officers of the M/o Labour & Employment
- (ii) All Sections of the M/o Labour & Employment

No. 1/4/209-R
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personal & Training

North Block, New Delhi
Dated the 05th October, 2009

OFFICE MEMORANDUM

Subject : Guide on the Right to Information Act, 2005.

The undersigned is directed to say that this Department has issued for sets of guidelines and several other Office Memoranda regarding implementation of the Right to Information Act, 2005 during last three years. Section 26 of the Act requires the Government to prepare such guidelines and update these at regular intervals. Accordingly a consolidated updated Guide on the Act has been prepared which would help all the stake-holders – information seekers in getting information, public information officers in dealing with the RTI applications, first appellate authorities in taking cogent decisions on appeals and the public authorities in implementing various of the Act in right earnest.

2. A copy of the Guide is enclosed herewith the request that it may be brought to the notice of all concerned.



(K.G. Verma)
Director
Tel.: 23092158

1. All the Ministries / Departments of the Government of India.
2. Union Public Service Commission / Lok Sabha Secretariat / Rajya Sabha Secretariat / Cabinet Secretariat / Central Vigilance Commission / President's Secretariat / Vice-President's Secretariat / Prime Minister's Office / Planning Commission / Election Commission.
3. Central Information Commission / State Information Commission.
4. Staff Selection Commission, CGO Complex, New Delhi.
5. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
6. All Officers / Desks / Sections, Department of Personnel & Training and Department of Pension & Pensioners Welfare.

Copy to: Chief Secretaries of all the States / UTs.

The enclosed Guide is mutatis mutandis applicable to the public authorities of the States as well. The State Government may like to get it translated into the regional language(s) and circulate amongst various stake-holders.

GUIDE ON RIGHT TO INFORMATION
ACT-2005

Part I
FOR ALL STAKE HOLDERS

The right to information is implicitly guaranteed by the Constitution. However, with a view to set out a practical regime for securing information, the Indian Parliament enacted the Right to Information Act, 2005 and thus gave a powerful tool to the citizens to get information from the Government as a matter of right. This law is very comprehensive and covers almost all matters of governance and has the widest possible reach, being applicable to Government at all levels- Union, State and Local as well as recipients of government grants.

2. The Act requires the Government to compile a guide in easily comprehensible form and to update it from time to time. The Government has already published four guides in the past, one each for the information seekers, the public authorities, the Central Public Information Officers and the Appellate Authorities. Here is an updated consolidated guide for the use of all stake-holders. This guide contains five parts. Part I of the guide discusses some aspects of the Act which all the stake-holder are required to know. Rest of the four parts are specifically relevant to the public authorities, the information seekers, the public information officers and the first appellate authorities respectively.
3. Contents of this guide are specifically relevant in relation to the Central Government but are equally applicable to the State Governments except in relation to rules about payment of fee or deciding of appeals by the Information Commissions. It may be noted that this guide uses the term Public Information Officer in place of Central Public Information Officer/State Public Information Officer. Likewise Assistant Public Information Officer has been used for Central Assistant Public Information Officer/State Assistant Public Information Officer and Information Commission for Central Information Commission/State Information Commission except where it was considered necessary to make specific reference to the Central Public Information Officer/ Central Information Commission etc. The Departmental Appellate Authority has been referred to as First Appellate Authority inasmuch as the first appeal lies with him.

Object of the Right to Information Act

4. The basic object of the Right to information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act is a big step towards making the citizens informed about the activities of the Government.

What is Information

5. Information is any material in any form. It Includes records, documents, memos, e-mails, opinions, advises, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public authority under any law for the time being in force.

What is a Public Authority

6. A “public authority” is any authority or body or institution of self government established or constituted by or under the Constitution; or by any other law made by the Parliament or a State Legislature; or by notification issued or order made by the Central Government or a State Government. The bodies owned, controlled or substantially financed by the Central Government or a State Government and non-Government organisations substantially financed by the Central Government or a State Government also fall: within the definition of public authority. The financing of the body or the NGO by the Government may be direct or indirect.

Public Information Officer

7. Public authorities have designated some of its officers as Public Information Officer. They are responsible to give information to a person who seeks information under the RTI Act.

Assistant Public Information Officer

8. These are the officers at sub-divisional level to whom a person can give his RTI application or appeal. These officers send the application or appeal to the Public Information Officer of the public authority or the concerned appellate authority. An Assistant Public Information Officer is not responsible to supply the information.
9. The Assistant Public Information Officers appointed by the Department of Posts in various post offices are working as Assistant Public Information Officers for all the public authorities under the Government of India.,.

Right to Information under the Act

10. A citizen has a right to seek such information from a public authority which is held by the public authority or which is held under its control. This right includes inspection of work, documents and records; taking notes, extracts or certified copies of documents or records; and taking certified samples of material held by the public authority or held under the control of the public authority. It is important to note that only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority.

The Public Information Officer, is not supposed to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.

11. The Act gives the citizens a right to information at par with the Members of-Parliament and the Members of State Legislatures. According to the Act, the information which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person.
12. A citizen has a right to obtain information from a public authority in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts provided such information is already stored in a computer or in any other device from which the information may be e-mailed or transferred to diskettes etc.
13. The information to the applicant should ordinarily be provided in the form in which it is sought. However, if the supply of information sought in a particular form would disproportionately divert the resources of the public authority or may cause harm to the safety or preservation of the records, supply of information in that form may be denied.
14. In some cases, the applicants expect the Public Information Officer to give information in some particular proforma devised by them on the plea that they have a right to get information in the form in which it is sought. It need be noted that the provision in the Act simply means that if the information is sought in the form of photocopy, it shall be provided in the form of photocopy, or if it is sought in the form of a floppy, it shall be provided in that form subject to the conditions given in the Act. It does not mean that the PIO shall re-shape the information. This is substantiated by the definition of the term 'right to information' as given in the Act, according to which, it includes right to obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts provided such information is already stored in a computer or in any other device. Everywhere in the Act, the word 'form' has been used to represent this meaning.
15. Some Information Seekers request the Public Information Officers to cull out information from some document(s) and give such extracted information to them. A citizen has a right to get 'material' from a public authority which is held by or under the control of that public authority. The Act, however, does not require the Public Information Officer to deduce some conclusion from the 'material' and supply the 'conclusion' so deduced to the applicant. It means that the Public Information Officer is required to supply the 'material' in the form as held by the public authority, but not to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

Right to Information Vis-a-Vis other Acts

16. The RTI Act has over-riding effect vis-e-vis other laws inasmuch as the provisions of the RTI Act would have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than the RTI Act.

Supply of Information to Associations etc.

17. The Act gives the right to information only to the citizens of India. It does not make provision for giving information to Corporations, Associations, Companies etc. which are legal entities/ persons, but not citizens. However, if an application is made by an employee or office-bearer of any Corporation, Association, Company, NGO etc. indicating his name and such employee/ office bearer is a citizen of India, information may be supplied to him/her. In such cases, It would be presumed that a citizen has sought information at the address of the Corporation etc.

Fee for Seeking Information

18. A person who desires to seek some information from a public authority is required to send, along with the application, a demand draft or a banker's cheque or an Indian Postal Order of Rs.10/- (Rupees ten), payable to the Accounts Officer of the public authority as fee prescribed for seeking information. The payment of fee can also be made by way of cash to the Accounts Officer of the public authority or to the Assistant Public Information Officer against proper receipt.
19. The applicant may also be required to pay further fee towards the cost of providing the information, details of which shall be intimated to the applicant by the PIO as prescribed by the Right to Information (Regulation of Fee and Cost) Rules, 2005. Rates of fee as prescribed in the Rules are given below:
 - (a) rupees two (Rs. 2/-) for each page (in A-4 or A-3 size paper) created or copied; (b) actual charge or cost price of a copy in larger size paper;
 - (c) actual cost or price for samples or models;
 - (d) for information provided in diskette or floppy, rupees fifty (Rs.50/-) per diskette or floppy; and
 - (e) for information provided in printed form, at the price fixed for such publication .rupees two per page of photocopy for extracts from the publication.
20. As already pointed out, a citizen has a right to inspect the records of a public authority. For inspection of records, the public authority shall charge no fee for the first hour.. But a fee of rupees five (Rs.5/-) for each subsequent hour (or fraction thereof) shall be charged.

21. If the applicant belongs to below poverty line (BPL) category, he is not required to pay any fee. However, he should submit a proof in support of his claim to belong to the below poverty line. The application not accompanied by the prescribed fee of Rs.10/- or proof of the applicant's belonging to below poverty line, as the case may be, shall not be a valid application under the Act. It may be pointed out that there is no bar on the public authority to supply information in response to such applications. However, provisions of Act would not apply to such cases.

Format of Application

22. There is no prescribed format of application for seeking information. The application can be made on plain paper. The application should, however, have the name and complete postal address of the applicant. Even in cases where the information is sought electronically, the application should contain name and postal address of the applicant.
23. The information seeker is not required to give reasons for seeking information.

Information Exempted From Disclosure

24. Sub-section (1) of section 8 and section 9 of the Act enumerate the types of information which is exempt from disclosure. Sub-section (2) of section 8, however, provides that information exempted under sub-section (1) or exempted under the official Secrets Act, 1923 can be disclosed if public Interest in disclosure overweighs the harm to the protected interest.
25. The information which, in normal course, is exempt from disclosure under sub-section (1) of Section 8 of the Act, would cease to be exempted if 20 years have lapsed after occurrence of the incident to which the information relates. However, the following types of information would continue to be exempt and there would be no obligation, even after lapse of 20 years, to give any citizen
- (i) information disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign state or lead to incitement of an offence;
 - (ii) information the disclosure of which would cause a breach of privilege of Parliament or State Legislature; or
 - (iii) cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other Officers subject to the conditions given in proviso to clause (i) of sub-section (1) of Section 8 of the Act.

Record Retention Schedule and the Act

26. The Act does not require the public authorities to retain records for indefinite period. The records need be retained as per the record retention schedule applicable to the concerned public authority. Information generated in a file may survive in the form of an OM or a letter or

in any other form even after destruction of the file/record. Section 8(3) of the Act requires furnishing of information so available after the lapse of 20 years even if such information was exempt from disclosure under sub-section (1) of Section 8.

Assistance Available to the Applicant

27. If a person is unable to make a request in writing, he may seek the help of the Public Information Officer to write his application and the Public Information Officer should render him reasonable assistance. Where a decision is taken to give access to a sensorily disabled person to any document, the Public Information Officer, shall provide such assistance to the person as may be appropriate the inspection.

The Period for Supply of Information

28. In normal course, information to an applicant shall be supplied within 30 days from the receipt of application by the public authority. If information sought concerns the life or liberty of a person, it shall be supplied within 48 hours. In case the application is sent through the Assistant Public Information Officer or it is sent to a wrong public authority, five days shall be added to the period of thirty days or 48 hours, as the case may be. Further details in this regard are given in the chapter, 'For the Public Information Officers.'

Appeals

29. If an applicant is not supplied information within the prescribed time of thirty days or 48 hours, as the case may be, or is not satisfied with the information furnished to him, he may prefer an appeal to the first appellate authority who is an officer senior in rank to the Public Information Officer. Such an appeal, should be filed within a period of thirty days from the date on which the limit of 30 days of supply of information is expired or from the date on which the information or decision of the Public Information Officer is received. The appellate authority of the public authority shall dispose of the appeal within a period of thirty days or in exceptional cases within 45 days of the receipt of the appeal.
30. If the first appellate authority fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the first appellate authority, he may prefer a second appeal with the Central Information Commission within ninety days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.

Complaints

31. If any person is unable to submit a request to a Public Information Officer either by reason that such an officer has not been appointed by the concerned public authority; or the Assistant Public Information Officer has refused to accept his or her application or appeal for forwarding the same to the Public Information Officer or the appellate authority, as the case may be; or he

has been refused access to any information requested by him under the RTI Act; or he has not been given a response to a request for information within the time limit specified in the Act; or he has been required to pay an amount of fee which he considers unreasonable; or he believes that he has been given incomplete, misleading or false information, he can make a complaint to the Information Commission.

Disposal of Appeals and Complaints by the CIC

32. The Central Information Commission decides the appeals and complaints and conveys its decision to the appellant/complainant and first appellate authority/Public Information Officer. The Commission may decide an appeal/complaint after hearing the parties to the appeal/complaint or by inspection of documents produced by the appellant/complaint and Public Information Officer or such senior officer of the public authority who decided the first appeal. If the Commission chooses to hear the parties before deciding the appeal or the complaint, the Commission will inform the date of hearing to the appellant or the complainant at least seven clear days before the date of hearing. The appellant/complainant ?? discretion to be present in person or through his authorized representative at the time of hearing or not to be present.

Third Party Information

33. Third party in relation to the Act means a person other than the citizen who has made request for information. The definition of third party includes a public authority other than the public authority to whom the request has been made.

Disclosure of Third Party Information

34. Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, is exempt from disclosure. Such information should not be disclosed unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.
35. In regard to a third party information which the third party has treated as confidential, the Public Information Officer should follow the procedure as given in the chapter 'FOR PUBLIC INFORMATION OFFICERS'. The third party should be given full opportunity to put his case for non-disclosure if he desires that the information should not be disclosed.

PART - II
FOR PUBLIC AUTHORITIES

Public authorities are the repository of information which the citizens have a right to have under the Right to Information Act, 2005. The Act casts important obligations on public authorities so as to facilitate the citizens of the country to access the information held under their control. The obligations of a public authority are basically the obligations of the head of the authority, who should ensure that these are met in right earnest. Reference made to public authority in this document is, in fact, a reference to the head of the public authority.

Maintenance and Computerisation of Records

2. Proper management of records is of utmost importance for effective implementation of the provisions of the Act. A public authority should, therefore, maintain all its records properly. It should ensure that the records are duly catalogued and indexed in such a manner and form that it may facilitate the right to information.

Suo Motu Disclosure

3. Every public authority should provide as much information suo motu to the public through various means of communications so that the public have minimum need to use the Act to obtain information. Internet being one of the most effective means of communications, the information may be posted on the website.
4. Section 4(1) (b) of the Act, in particular, requires every public authority to publish following sixteen categories of information:
 - (i) the particulars of its organisation, functions and duties;
 - (ii) the powers and duties of its officers and employees;
 - (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
 - (iv) the norms set by it for the discharge of its functions;
 - (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
 - (vi) a statement of the categories of documents that are held by it or under its control;
 - vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;

- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
 - (ix) directory of its officers and employees;
 - (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
 - (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
 - (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
 - (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
 - (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
 - (xv) the particulars of facilities available to citizens for obtaining information including the working hours of a library or reading room, if maintained for public use,
 - (xvi) the names, designations and other particulars of the Public Information Officers.
5. Besides the categories of information enumerated above, the Government may prescribe other categories of information to be published by any public authority. It need be stressed that publication of the information as referred to above is not optional. It is a statutory requirement which every public authority is bound to meet.
6. Another important point to note is that it is not sufficient to publish the above information once. The public authority is obliged to update such information every year, it is advisable that, as far as possible, the information should be updated as and when any development takes place. Particularly, in case of publication on the internet, the information should be kept updated all the time.

Dissemination of Information

7. The public authority should widely disseminate the information. Dissemination should be done in such form and manner which is easily accessible to the public. It may be done through notice boards, newspapers, public announcements, media broadcast, the internet or any other means. The public authority should take into consideration the cost effectiveness, local language and most effective method of communication in the local area while disseminating the information.

Publication of Facts about Policies and Decisions

8. Public authorities formulate policies and take various decisions from time to time. As provided in the Act, while formulating important policies or announcing the decisions affecting the public, the public authority should publish all relevant facts about such policies and decisions for the information of public at large.

Providing Reasons for Decisions

9. The public authorities take various administrative and quasi-judicial decisions which affect the interests of certain persons. It is mandatory for the concerned public authority to provide reasons for such decisions to the affected persons. It may be done by using appropriate mode of communication.

Designation of PIOs and APIOs etc.

10. Every public authority is required to designate Public Information Officers in all the administrative units or offices under it. Every public authority is also required to designate Assistant Public Information Officers at each sub-divisional level. The Government of India has decided that Central Assistant Public Information Officers (CAPIOs) appointed by the Department of Posts would act as CAPIOs for all the public authorities under the Government of India.

Designation of Appellate Authority

11. Sub-section (8) of Section 7 of the RTI Act provides that where a request for information is rejected, the Public Information Officer shall, inter-alia, communicate the particulars of the Appellate Authority to the person making the request. Thus, the applicant is informed about the particulars of the Appellate Authority when a request for information is rejected but there may be cases where the Public Information Officer does not reject the application, but the applicant does not receive a decision within the time as specified in the Act or he is aggrieved by the decision of the Public information Officer. In such a case the applicant may like to exercise his right to appeal. But in absence of the particulars of the appellate authority, the applicant may face difficulty in making an appeal. All the public authorities should, therefore, designate the First Appellate Authorities and publish their particulars alongwith the particulars of the Public Information Officers.

Acceptance of Fee

12. According to the Right to Information (Regulation of Fee and Cost) Rules, 2005 as amended by the Right to Information (Regulation of Fee and Cost) Rules, 2006, an applicant can make payment of fee in cash or by demand draft or banker's cheque or Indian Postal Order payable to the Accounts Officer of the public authority. The public authority should ensure that payment by any of the above modes is not denied or the applicant is not compelled to

draw IPO etc. in the name of any officer other than the Accounts Officer. If any public authority does not have any Accounts Officer, it should designate an officer as such for the purpose of receiving fee under the RTI Act or rules made thereunder.

Compliance of the Orders of the Information Commission

13. While deciding an appeal, the Information Commission, may require the concerned public authority to take such steps as may be necessary to secure compliance with the provisions of the Act. In this regard the Commission may pass an order to provide information to an applicant in a particular form; appoint a Public Information Officer; publish certain information or categories of information; make necessary changes to its practices in relation to the maintenance, management and destruction of records; enhance the provision of training for its officials; provide an annual report as prepared in compliance with clause (b) of subsection (1) of section 4 of the Act.
14. The Commission has power to pass orders requiring a public authority to compensate the complainant for any loss or other detriment suffered by him. It also has power to impose penalty on the Public Information Officer as provided in the Act. It may be noted that penalty is imposed on the Public Information Officer which is to be paid by him. However, the compensation, ordered by the Commission to be paid to an applicant would have to be paid by the public authority.
15. The decisions of the Commission are binding. The public authority should ensure that the orders passed by the Commission are implemented. If any public authority or a PIO is of the view that an order of the Commission is not in consonance with the provisions of the Act, it may approach the High Court by way of a Writ Petition.

Development of Programmes etc.

16. It is expected of each public authority that it would develop and organise educational programmes to advance the understanding of the public, in particular of disadvantaged communities, as to how to exercise the rights contemplated under the Act; and ensure timely and effective dissemination of accurate information about their activities. Training of the Public Information Officers and other officers of a public authority is very important for meeting these expectations and effective implementation of the provisions of the Act. The public authorities should, therefore, arrange for training of their officers designated as Public Information Officer/First Appellate Authority and other officers who are directly or indirectly involved in the implementation of the provisions of the Act.

Creation of Central Point

17. Sub-section (1) of Section 5 of the Right to Information Act, 2005 mandates all public authorities to designate as many Public Information Officers as necessary to provide

information under the Act. Where a public authority designates more than one Public Information Officer (PIO), an applicant is likely to face difficulty in approaching the appropriate Public Information Officer. The applicants would also face problem in identifying the officer senior in rank to the Public Information Officer to whom an appeal under sub-section (1) of Section 19 of the Act can be made. Therefore all public authorities with more than one PIO should create a central point within the organisation where all the RTI applications and the appeals addressed to the First Appellate Authorities may be received. An officer should be made responsible to ensure that all the RTI applications/appeals received at the central point are sent to the concerned Public Information Officers/Appellate Authorities, on the same day.

Transfer of Applications

18. The Act provides that if an application is made to a public authority requesting for an information, which is held by another public authority; or the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or relevant part of it to that other public authority within five days from the receipt of the application. The public authority should sensitize its officers about this provision of the Act lest the public authority is held responsible for delay.

Annual Report of the CIC

19. The Information Commissions, after the end of each year, are required to prepare reports on the implementation of the provisions of the Act during that year. Each Ministry or Department is required, in relation to the public authorities within its jurisdiction, to collect and provide information to the concerned Information Commission for preparation of the report. The report of the Commission, inter-alia, contains following information in respect of the year to which the report relates—
 - (a) the number of requests made to each public authority;
 - (b) the number of decisions where applicants were not entitled to access to the documents pursuant to the requests, the provisions of the Act under which these decisions were made and the number of times such provisions were invoked;
 - (c) particulars of any disciplinary action taken against any officer in respect of the administration of the Act;
 - (d) the amount of charges collected by each public authority under the Act; and
 - (e) any facts which indicate an effort by the public authorities to administer and implement the spirit and intention of the Act.

20. Every public authority should send necessary material to its administrative Ministry/ Department soon after the end of the year so that the Ministry/Department may send the information to the Commission and the Commission may incorporate the same in its report,
21. If it appears to the Information Commission that a practice of a public authority in relation to the exercise of its functions under the Act does not conform with the provisions or spirit of the Act, it may give a recommendation to the authority specifying the steps ought to be taken for promoting such conformity. The concerned public authority should take necessary action to bring its practice in conformity with the Act.

PART - III
FOR INFORMATION SEEKERS

Method of Seeking Information

1. A citizen who desires to obtain any information under the Act, should make an application to the Public Information Officer of the concerned public authority in writing in English or Hindi or in the official language of the area in which the application is made. The application should be precise and specific. He should make payment of application fee at the time of submitting the application as prescribed in the Fee Rules. The applicant can send the application by post or through electronic means or can deliver it personally in the office of the public authority. The application can also be sent through an Assistant Public Information Officer.

Application to the concerned Public Authority:

2. The applicant should make application to the concerned public authority. It is advised that he should make all efforts to ascertain as to which is the public authority concerned with the information and should send application to the Public Information Officer of that public authority.
3. It is observed that some applicants seek information in respect of many subjects by way of one application. It creates problem for the Public Information Officer as well as the applicant. The applicant should, therefore, see to it that by way of one application, he seeks information in respect of one subject only.

Fee for Seeking Information

4. The applicant, along with the application, should send application fee to the Public Information Officer. In case of Government of India prescribed application fee is Rs. 107- which can be paid through a demand draft or a banker's cheque or an Indian Postal Order payable to the Accounts Officer of the public authority. The payment of fee can also be made by way of cash to the Accounts Officer of the public authority or to the Assistant Public Information Officer against proper receipt.
5. The applicant may also be required to pay further fee towards the cost of providing the information, details of which shall be intimated to the applicant by the Public Information Officer. The fee so demanded can be paid the same way as application fee.
6. If the applicant belongs to below poverty line (BPL) category, he is not required to pay any fee. However, he should submit a proof in support of his claim to belong to the below poverty line. The application not accompanied by the prescribed application fee or proof of the

applicant's belonging to below poverty line, as the case may be, shall not be a valid application under the Act.

Format of Application

7. There is no prescribed format of application for seeking information. The application can be made on plain paper. The application should, however, have the name and complete postal address of the applicant. Even in cases where the information is sought electronically, the application should contain name and postal address of the applicant.

Filing of Appeal

8. An applicant can file an appeal to the first appellate authority if information is not supplied to him within the prescribed time of thirty days or 48 hours, as the case may be, or is not satisfied with the information furnished to him. Such an appeal, should be filed within a period of thirty days from the date on which the limit of 30 days of supply of infonn expired or from the date on which the information or decision of the Public Information Ot received. The appellate authority of the public authority shall dispose of the appeal wit! period of thirty days or in exceptional cases within 45 days of the receipt of the appeal.
9. If the appellate authority fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the first appellate authority, he may prefer a second appeal wHh the Information Commission within ninety days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.
10. The appeal made to the Central information Commission should contain the following information :-
 - (i) Name and address of the appellant;
 - (ii) Name and address of the Public Information Officer against the decision of whom the appeal is preferred;
 - (iii) Particulars of the order including number, If any, against which the appeal is preferred;
 - (iv) Brief facts leading to the appeal;
 - (v) If the appeal is preferred against deemed refusal, particulars of the application, including number and date and name and address of the Public Information Officer to whom the application was made;
 - (vi) Prayer or relief sought;
 - (v) Grounds for prayer or relief;

- (vi) Verification by the appellant; and
 - (vii) Any other information, which the Commission may deem necessary for deciding the appeal.
11. The appeal made to the Central Information Commission should be accompanied by the following documents:
- (i) Self-attested copies of the orders or documents against which appeal is made;
 - (ii) Copies of the documents relied upon by the appellant and referred to in the appeal; and
 - (iii) An index of the documents referred to in the appeal.

Filing of Complaints

12. A person can make a complaint to the Information Commission if he is unable to submit a request to a Public Information Officer either by reason that such an officer has not been appointed by the concerned public authority; or the Assistant Public Information Officer has refused to accept his or her application or appeal for forwarding the same to the Public Information Officer or the appellate authority, as the case may be; or he has been refused access to any information requested by him under the RTI Act; or he has not been given a response to a request for information within the time limit specified in the Act; or he has been required to pay an amount of fee which he considers unreasonable; or he believes that he has been given incomplete, misleading or false information.

PART - IV
FOR PUBLIC INFORMATION OFFICERS

The Public Information Officer of a public authority plays a pivotal role in making the right of citizens to information a reality. The Act casts specific duties on him and makes him liable for penalty in case of default. It is, therefore, essential for a Public Information Officer to study the Act carefully and understand its provisions correctly. Besides the issues discussed elsewhere in this document, a Public Information Officer should keep the following aspects in view while dealing with the applications under the Act.

Applications Received Without Fee

2. Soon after receiving the application, the Public Information Officer should check whether the applicant has made the payment of application fee or whether the applicant is a person belonging to a Below Poverty Line (BPL) family. If application is not accompanied by the prescribed fee or the BPL Certificate, it cannot be treated as an application under the RTI Act. It may, however, be noted that Public Information Officer should consider such application sympathetically and try to supply information sought by way of such an application.

Transfer of Application

3. Some times requests are made to a public authority for information which do not concern that public authority or only a part of which is available with the public authority to which the application is made and remaining or whole of the information concerns another public authority or many other public authorities.
4. Section 6(1) of the RTI Act, 2005 provides that a person who desires to obtain any information shall make a request to the public information officer of the concerned public authority. Section 6(3) provides that where an application is made to a public authority requesting for any information which is held by another public authority or the subject matter of which is more closely connected with the functions of another public authority, the public authority to which such an application is made, shall transfer the application to that other public authority. The provisions of sub-section (1) and sub-section(3) of Section 6, suggest that the Act requires an information seeker to address the application to the Public Information Officer of the 'concerned public authority'. However, there may be cases in which a person of ordinary prudence may believe that the information sought by him/her would be available with the public authority to which he/she 'js addressed the application, but is actually held by some other public authority. In such cases, the applicant makes a bonafide mistake of addressing the application to the Public Information Officer of a wrong public authority. On the other hand where an applicant addresses the application to the Public information Officer of a

public authority, which to a person of ordinary prudence, would not appear to be the concern of that public authority, the applicant does not fulfill his responsibility of addressing the application to the 'concerned public authority'.

5. Given hereinunder are some situations which may arise in the matter and action required to be taken in such cases:
- (i) A person makes an application to a public authority for some information which concerns some another public authority. In such a case, the Public Information Officer receiving the application should transfer the application to the concerned public authority under intimation to the applicant. However, if the Public Information Officer of the public authority is not able to find out as to which public authority is concerned with the information even after making reasonable efforts to find out the concerned public authority, he should inform the applicant that the information is not available with his public authority and that he is not aware of the particulars of concerned public authority to which the application could be transferred. It would however, be the responsibility of the PIO, if an appeal is made against his decision), to establish that he made reasonable efforts to find out the particulars of the concerned public authority.
 - (ii) A person makes an application to a public authority for information, only a part of which is available with that public authority and a part of the information concerns some 'another public authority'. In such a case, the Public Information Officer should supply the information concerning his public authority and a copy of the application should be sent to that another public authority under intimation to the applicant.
 - (iii) A person makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is scattered with more than one other public authorities. In such a case, the Public Information Officer of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. If no part of the information sought, is available with it but is scattered with more than one other public authorities, the Public Information Officer should inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them. It may be noted that the Act requires the supply of such information only which already exists and is held by the public authority or held under the control of the public authority. It is beyond the scope of the Act for a public authority to collect the information from various public authorities to supply it to the applicant. At the same time, since the information is not related to any one another particular public authority, it is not the case where application

should be transferred under sub-section (3) of Section 6 of the Act. It is pertinent to note that sub-section (3) refers to 'another public authority' and not to 'other public authorities'. Use of singular form in the Act in this regard is important to note.

- (iv) If a person makes an application to a public authority of Central Government for some information which is the concern of a public authority under any State Government or the Union Territory Administration, the Public Information Officer of the public authority receiving the application should inform the applicant that the information may be had from the concerned State Government/UT Administration. Application, in such a case, need not be transferred to the State Government/UT Administration.
6. In brief, if the application is accompanied by the prescribed fee or the Below Poverty Line Certificate, the Public Information Officer should check whether the subject matter of the application or a part thereof concerns some other public authority. If the subject matter of the application concerns any other public authority, it should be transferred to that public authority. If only a part of the application concerns the other public authority, a copy of the application may be sent to that public authority, clearly specifying the part which relates to that public authority. While transferring the application or sending a copy thereof, the concerned public authority should be informed that the application fee has been received. The applicant should also be informed about the transfer of his application and the particulars of the public authority to whom the application or a copy thereof has been sent.
 7. Transfer of application or part thereof, as the case may be, should be made as soon as possible and in any case within five days from the date of receipt of the application. If a Public Information Officer transfers an application after five days from the receipt of the application, he would be responsible for delay in disposal of the application to the extent of number of days which he takes in transferring the application beyond 5 days.
 8. The Public Information Officer of the public authority to whom the application is transferred, should not refuse acceptance of transfer of the application on the ground that it was not transferred to him within 5 days.
 9. A public authority may designate as many Public Information Officers for it, as it may deem necessary. It is possible that in a public authority with more than one Public Information Officer, an application is received by the Public Information Officer other than the concerned Public Information Officer. In such a case, the Public Information Officer receiving the application should transfer it to the concerned Public Information Officer immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one Public Information Officer to another in the same public authority.

Rendering Assistance to Applicants

10. The RTI Act provides that the Public Information Officer has a duty to render reasonable assistance to the persons seeking information. As per provisions of the Act, a person, who desires to obtain any information is required to make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is made. If a person seeking information is not able to make such request in writing, the Public Information Officer should render reasonable assistance to him to reduce the same in writing.
11. Where access to a record is required to be provided to a sensoriiy disabled person, the Public Information Officer should provide assistance to such person to enable him to access the information. He should also provide such assistance to the person as may be appropriate for the inspection of records where such inspection is involved.

Assistance Available to PIO

12. The Public Information Officer may seek the assistance of any other officer as he or she considers necessary for the proper discharge of his or her duties. The officer, whose assistance is so sought by the Public Information Officer, would render all assistance to him. Such an officer shall be deemed to be a Public Information Officer and would be liable for contravention of any provisions of the Act the same way as any other Public Information Officer. It would be advisable for the Public Information Officer to inform the officer whose assistance is sought, about the above provision, at the time of seeking his assistance.
13. Some Public Information Officers, on the basis of above referred provision of the Act, transfer the RTI applications received by them to other officers and direct them to send information to the applicants as deemed Public Information Officer. Thus, they use the above referred provision to designate other officers as Public Information Officer. According to the Act, it is the responsibility of the officer who is designated as the Public Information Officer by the public authority to provide information to the applicant or reject the application for any reasons specified in Sections 8 and 9 of the Act. The Act enables the Public Information Officer to seek assistance of any other officer to enable him to provide information to the information seeker, but it does not give him authority to designate any other officer as Public Information Officer and direct him to send reply to the applicant. The import of the provision is that, if the officer whose assistance is sought by the Public Information Officer, does not render necessary help to him, the information Commission may impose penalty on such officer or recommend disciplinary action against him the same way as the Commission may impose penalty on or recommend disciplinary action against the Public Information Officer.

Supply of Information

14. The answering Public Information Officer should check whether the information sought or a part thereof is exempt from disclosure under Section 8 or Section 9 of the Act. Request in

respect of the part of the application which is so exempt may be rejected at, information should be provided immediately or after receipt of additional fees, as be.

15. Where a request for information is rejected, the Public Information Officer communicate to the person making the request—
 - (i) the reasons for such rejection;
 - (ii) the period within which an appeal against such rejection may be preferred; and
 - (iii) the particulars of the authority to whom an appeal can be made.
16. If additional fee is required to be paid by the applicant as provided in the Fee and Cost Rules, the Public Information Officer should inform the applicant:
 - (i) the details of further fees required to be paid;
 - (ii) the calculations made to arrive at the amount of fees asked for;
 - (iii) the fact that the applicant has a right to make appeal about the amount of fees so demanded;
 - (iv) the particulars of the authority to whom such an appeal can be made; and
 - (v) the time limit within which the appeal can be made.

Supply of Part Information by Severance

17. Where a request is received for access to information which is exempt from disclosure but a part of which is not exempt, and such part can be severed in such a way that the severed part does not contain exempt information then, access to that part of the information/record may be provided to the applicant. Where access is granted to a part of the record in such a way, the Public Information Officer should inform the applicant that the information asked for is exempt from disclosure and that only part of the record is being provided, after severance, which is not exempt from disclosure. While doing so, he should give the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based. The Public Information Officer should take the approval of appropriate authority before supply of information in such a case and should inform the name and designation of the person giving the decision to the applicant also.

Time Period for Supply of Information

18. The Public Information Officer should supply the information within thirty days of the receipt of the request. Where the information sought for concerns the life or liberty of a person, the same should be provided within forty-eight hours of the receipt of the request. If request for information is received through the APIO, the information may be provided within 35 days of

receipt of application by the APIO in normal course and 48 hours plus 5 days in case the information sought concerns the life or liberty of a person.

19. In case of an application transferred from one public authority to another public authority, reply should be provided by the concerned public authority within 30 days of the receipt of the application by that public authority in normal course and within 48 hours in case the information sought concerns the life or liberty of a person.
20. The Public Information Officers of the intelligence and security organisations specified in the Second Schedule of the Act may receive applications seeking information pertaining to allegations of corruption and human rights violations. Information in respect of allegations of violation of human rights, which is provided only after the approval of the Central Information Commission, should be provided within forty-five days from the date of the receipt of request. Time limit prescribed for supplying information in regard, to allegations of corruption is the same as in other cases.
21. Where the applicant is asked to pay additional fee, the period intervening between the dispatch of the intimation about payment of fee and the payment of fee by the applicant shall be excluded for the purpose of calculating the period of reply. The following table shows the maximum time which may be taken to dispose off the applications in different situations :

Sr. No.	Situation	Time limit for disposing off applications
1.	Supply of information in normal course	30 days
2.	Supply of information if it concerns the life or liberty of a person	48 hours
3.	Supply of information if the application is received through APIO.	05 days shall be added to the time period indicated at Sr. No. 1 and 2.
4.	Supply of information if application/request is received after transfer from another public authority : (a) In normal course (b) In case the information concerns the life or liberty of a person	(a) Within 30 days of the receipt of the application by the concerned public authority. (b) Within 48 hours of receipt of the application by the concerned public authority.

Sr. No.	Situation	Time limit for disposing off applications
5.	Supply of information by organizations specified in the Second Schedule : (a) If information relates to allegations of violation of human rights (b) In case information relates to allegations of corruption.	(a) 45 days from the receipt of application. (b) Within 30 days of the receipt of application.
6.	Supply of information if it relates to third party and the third party has treated it as confidential.	Should be provided after following the procedure given in para 23 to 28 of this part of the document.
7.	Supply of information where the applicant is asked to pay additional fee.	The period intervening between informing the applicant about additional fee and the payment of fee by the applicant shall be excluded for calculating the period of reply.

22. If the Public Information Officer fails to give decision on the request for information within the prescribed period, he shall be deemed to have refused the request. It is pertinent to note that if a public authority fails to comply with the specified time limit, the information to the concerned applicant would have to be provided free of charge.

Disclosure of Third Party Information

23. Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, is exempt from disclosure. Such an information shall not be disclosed unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.
24. If an applicant seeks any information which relates to or has been supplied by a third party and that third party has treated that information as confidential, the Public Information Officer shall consider whether the information should be disclosed or not. The in such cases is that except in the case of trade or commercial secrets protected disclosure may be allowed if the public interest in disclosure outweighs in important possible harm or injury to the interests pf such third party. However, the Public Information Officer would have to follow the following procedure before disclosing such information.

25. If the Public Information Officer intends to disclose the information, he shall within five days from the receipt of the application, give a written notice to the third party that the information has been sought by the applicant under the RTI Act and that he intends to disclose the information. He shall request the third party to make a submission in writing or orally, regarding whether the information may be disclosed. The third party shall be given a time of ten days, from the date of receipt of the notice by him, to make representation against the proposed disclosure, if any.
26. The Public Information Officer shall make a decision regarding disclosure of the information keeping in view the submission of the third party. Such a decision should be taken within forty days from the receipt of the request for information. After taking the decision, the Public Information Officer should give a notice of his decision to the third party in writing. The notice given to the third party should include a statement that the third party is entitled to prefer an appeal under section 19 against the decision.
27. The third party can prefer an appeal to the First Appellate Authority against the decision made by the Public Information Officer within thirty days from the date of the receipt of notice. If not satisfied with the decision of the First Appellate Authority, the third party can prefer a second appeal to the Information Commission.
28. If an appeal has been filed by the third party against the decision of the Public Information Officer to disclose the third party information, the information should not be disclosed till the appeal is decided.

Suo Motu Disclosure

29. The Act makes it obligatory for every public authority to make suomotu disclosure in respect of the particulars of its organization, functions, duties and other matters, as provided in section 4 of the Act. The information so published, according to sub-section (4) of section 4, should be easily accessible with the Public Information Officer in electronic form. The Public Information Officer should, therefore, make concerted efforts to ensure that the requirements of the Section 4 of the RTI Act 2005 are met and maximum information in respect of the public authority is made available on the internet. It would help him in two ways. First, the number of applications under the Act would be reduced and secondly, it would facilitate his work of providing information inasmuch as most of the information would be available to him at one place.

Imposition of Penalty

30. An applicant under the Act has a right to appeal to the Information Commission and also to make complaint to the Commission. Where the Information Commission at the time of deciding any complaint or appeal is of the opinion that the Public Information Officer has without any

reasonable cause, refused to receive an application for information or has not furnished information within the time specified or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished subject to the condition that the total amount of such penalty shall not exceed twenty-five thousand rupees. The Public Information Officer shall, however, be given a reasonable opportunity of being heard before any penalty is imposed on him. The burden of proving that he acted reasonably and diligently and in case of denial of a request that such denial was justified shall be on the Public Information Officer.

Disciplinary Action Against PIO

31. Where the Information Commission at the time of deciding any complaint or appeal is of the opinion that the Public Information Officer has without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it may recommend disciplinary action against the Public Information Officer.

Protection for Work Done in Good Faith

32. Section 21 of the Act provides that no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under the Act or any rule made thereunder. A Public Information Officer should, however, note that it would be his responsibility to prove that his action was in good faith.

Annual Report of the CIC

33. The Central Information Commission prepares a report on the implementation of the provisions of the RTI Act every year, which is laid before each House of the Parliament. This report, inter-alia, has to include information about the number of requests made to each public authority, the number of decisions where the applicants were not entitled to access to documents requested for, the provisions of the Act under which these decisions were made and the number of times such provisions were invoked, the amount of charges collected by each public authority under the Act. Each Ministry/Department is required to collect such information from all the public authorities under its jurisdiction and send the same to the Commission. The Public Information Officers should maintain the requisite information in this regard so that it may be supplied to their administrative Ministry/Department soon after the end of the year, which in turn may supply to the Commission.

PART - V

FOR FIRST APPELLATE AUTHORITIES

It is the responsibility of the Public Information Officer of a public authority to supply correct and complete information within the specified time to any person seeking information under the RTI Act, 2005. There are possibilities that a Public Information Officer may not act as per provisions of the Act or an applicant may not otherwise be satisfied with the decision of the Public Information Officer. The Act contains provision of two appeals to tide over such situations. The first appeal lies within the public authority itself which is made to an officer designated as the First Appellate Authority by the concerned public authority. The First Appellate Authority happens to be an officer senior in rank to the Public Information Officer. The second appeal lies with the Information Commission. The Central Information Commission (Appeal Procedure) Rules, 2005 govern the procedure for deciding appeals by the Central Information Commission.

First Appeal

2. The information sought by an applicant should either be supplied to him or his application should be rejected within the time prescribed by the Act. If additional fee need be charged from the applicant, communication in this regard should be sent to him within the time limit prescribed for sending information. If the applicant does not receive information or decision about rejection of request or communication about payment of additional fee within the specified time, he can make an appeal to the First Appellate Authority. Appeal can also be made if the applicant is aggrieved by the decision of the Public Information Officer regarding supply of information or the quantum of fee decided by the Public Information Officer.
3. A third party can prefer an appeal to the First Appellate Authority if it is not satisfied with the decision made by the Public Information Officer about disclosure of the information for which it has objected. Such an appeal can be made within thirty days from the date of the receipt of notice from the Public Information Officer to the effect that he proposes to disclose the concerned information. If not satisfied with the decision of the First Appellate Authority, the third party can prefer the second appeal to the Information Commission.

Disposal of Appeal

4. Deciding appeals under the RTI Act is a quasi-judicial function. It is, therefore, necessary that the appellate authority should see to it that the justice is not only done but it should also appear to have been done. In order to do so, the order passed by the appellate authority should be a speaking order giving justification for the decision arrived at.
5. If an appellate authority while deciding an appeal comes to a conclusion that the appellant should be supplied information in addition to what has been supplied by the Public Information

Officer, he may either (i) pass an order directing the Public Information Officer to give such information to the appellant; or (ii) he himself may give information to the appellant. In the first case the appellate authority should ensure that the information ordered by him to be supplied is supplied to the appellant immediately. It would, however, be better if the appellate authority chooses the second course of action and he himself furnishes the information along with the order passed by him in the matter.

6. If, in any case, the Public Information Officer does not implement the order passed by the appellate authority and the appellate authority feels that intervention of higher authority is required to get his order implemented, he should bring the matter to the notice of the officer in the public authority competent to take action against the Public Information Officer. Such competent officer shall take necessary action so as to ensure implementation of the provisions of the RTI Act

TIME LIMIT FOR DISPOSAL OF APPEAL

7. The first appellate authority should dispose off the appeal within 30 days of receipt of the appeal. In exceptional cases, the Appellate Authority may take 45 days for its disposal. However, in cases where disposal of appeal takes more than 30 days, the Appellate Authority should record in writing the reasons for such delay.

ORDERS OF HIGH COURTS AND THE CIC AND THEIR IMPLICATIONS

1. “Access to information, under Section 3 of the Act, is the rule and exemptions under Section 8, the exception. Section 8, being a restriction on this fundamental right, must, therefore, be strictly construed. It should not be interpreted in manner as to shadow the very right itself. Under Section 8, exemption from releasing information is granted if it would impede the process of investigation or the prosecution of the offenders. It is apparent that the mere existence of an investigation process cannot be a ground for refusal of the information; the authority withholding information must show satisfactory reasons as to why the release of such information would hamper the investigation process. Such reasons should be germane, and the opinion of the process being hampered should be reasonable and based on some material. Sans this consideration, Section 8(1)(h) and other such provisions would become the haven for dodging demands for information.” (Delhi High Court in a judgment in WP(C) No. 3114/2007 decided on 03.12.2007)
2. File notings have to be disclosed. (Several orders of the CIC and various SICs)
3. Through this Order, the Commission now wants to send the message loud and clear that quoting provisions of Section 8 of the RTI Act ad libitum to deny the information without giving any justification or grounds as to how these provisions are applicable is simply unacceptable and clearly amounts to mala fide denial of legitimate information attracting penalties under section 20(1). (CIC/OK/A/2006/00163 dated 07.07.06)
4. The PIO has to give the reasons for rejection of the request for information as required under Section 7(8)(i). Merely quoting the bare clause of the Act does not imply that the reasons have been given. The PIO should have intimated as to how he had come to the conclusion that rule 8(1)(h) was applicable in this case. (CIC/OK/C/2006/00010 dated 07.07.06)
5. A public authority can divide responsibilities amongst PIOs, but every PIO has to accept every application. (10/1/2005/CtC dated 25.02.06)
6. The PIO with whom the application is submitted has to provide the information. He cannot forward to another PIO within his department. Also, he cannot ask the applicant to approach another PIO for submission or obtaining information. (ICPB/C1/C1C/2006 dated 06.03.06)
7. Only PIOs can provide information. Other officers and APIOs cannot provide information. APIOs job is to only forward the application or the appeal. (10/1/2005/CIC dated 25.02.06)
8. Transfer under section 6(3) is not possible within a single public authority. (10/1/2005/CIC dated 25.02.06 & ICPB/C1/CIC/2006 dated 06.03.06)

9. A public authority can prescribe a form for making application. However, it was clarified in a subsequent review order that an application can still be made on plain paper and it cannot be rejected. (CIC/C/II/2006 dated 16.01.06 & CfCI/C/1/2006 dated 30.01.06)
10. The onus for timely dispatch of replies is on the PIO. (CIC/OK/A/2006/00049 dated 02.05.06)
11. An appellant can seek the help of others in proceedings. (10/1/2005/CIC dt. 25.02.06)
12. One has to serve documents on the opposite parties also. (10/1/2005/CIC dt, 25.02.06)
13. It is possible to seek reviews of Commission's decisions. (CIC/C/1/2006 dated 30.01.06 & CIC/A/3/2006 dated 03.04.06)
14. An appellant has a right to be heard by the first appellate authority. (CIC/AT/A/2006/00040 dated 27.03.06)
15. A public authority can only ask for costs as prescribed in the Act and the Rules, and cannot ask for compensation for their time and other costs incurred. (23/IC(A)/2006 dt. 10.04.06)
16. Use of lawyers for representation is discouraged by the Commission. (CIC/MA/A/2005/00004 dated 02.05.06)
17. Even if the information is available on the government's website, one can ask for it through an application. (CIC/OK/A/2006/00046 dated 02.05.06)
18. A tender cannot be cancelled without giving reasons. In fact, every action of a public authority must have a reason and it should be transparent to all. (ICPB/A-4/CIC/Z006 dated 10.02.06 & ICPB/A-6/CIC/2006 dated 27.02.06) .
19. Information cannot be denied under section 7(9). This provision only deals with the form in which information is to be supplied. (10/1/2005/CIC dated 25.02.06)
20. The government cannot wrongly classify its documents as Secret and then claim exemption from disclosure. (CIC/A/12/2006 dated 21.02.06)
21. Excuse of "potential misuse" is not sufficient to deny information. (10/1/2005/CIC dated 25.02.06)
22. Jailed or under-trial people is not personal information and is not invasion of privacy. (CIC/WB/A/2006/00120 dated 01.05.06)
23. Tour programmes and travel expenses of a public authority are not personal information. (07/IC(A)/CfC/2006 dated 06.03.06)
24. Bio-datas and application forms together with enclosures for appoint in public authorities cannot be denied. (ICPB/A-9/CIC/2006 dated 03.04.06)
25. Personal performance assessment/appraisal forms of government employees cannot be disclosed. (29/IC(A)/06 dated 20.04.06)

26. PAN, TAN Numbers are confidential and cannot be disclosed. (05/IC(A)/CIC/2006 dated 03.03.06)
27. Evaluated answer sheets of self or others cannot be disclosed. However, “answer key” and “award of marks” cannot be kept secret. (1CPB/A-2/CIC/2006 dated 06.02.06 & ICPB/A-3/CIC/2006 dated 10.02.06 & 11/53/2006-CIC dated 02.05.06)
28. One cannot prefer a second appeal directly with the Commission without first preferring the first appeal. (CIC/A/1/2006 dated 18.01.2006)
29. For a valid reason, this appeal was referred back to the first appellate authority. However, the appellant was advised that he can revive the appeal if the first appellate authority failed to act within the extended time. (ICPB/A-5/CIC/2006 dated 17.02.06)
30. PIOs cannot appeal against the decisions of first appellate authorities. (06/IC(A)/CtC/2006 dated 03.03.06). However, a closer look at section 19(3) makes it clear that the 1C has erred. Whilst practically speaking, an officer in his capacity as PIO cannot appeal the decision of his senior officer in the capacity of appellate authority, the wording of section 19(3) leaves it open to the PIO to appeal against the decision of his senior officer, i.e., the appellate authority.
31. Exemption provided to the organizations listed in Second Schedule of the Act are absolute in nature. (CIC/AT/A/2006/00055 and 30 dated 27.04.06)
32. The provision that “information that can be given to the Parliament can be given to the applicant also” is meaningless. The Commission has not accepted it even once. In this case, it even asked for a cause of action which is not allowed in the Act. (02/1C(A)/CIC/2006 dated 22.02.06)
33. Names of officers who are under discreet watch due to suspicion of corruption but still have been promoted have to be disclosed. (CIC/MA/A/2006/116 dated 01.05.2006)
34. Penalty can be imposed on all officers, not only PIOs. An officer whose assistance has been sought under section 5(5) by the PIO may be penalized if he fails to provide such assistance. (Adjunct to CIC/WB/2006/00018 dated 28.09.2006)
35. Reply should be provided in the same language in which the application has been made as long as it is a local or national language. (CIC/WB/A/2006/00117)
36. A decision in first appeal has to be signed by the First Appellate Authority and not by the PIO or the APIO. (CIC/OK/A/2007/01302)
37. An applicant has full rights to be given the copy of the objections filed by a “third party” against disclosure of information by the PIO. (CIC/AT/A/2007/01297)

CENTRAL INFORMATION COMMISSION

Club Building, Opposite Ber Sarai Market,

Old JNU Campus, New Delhi - 110067.

Tel: +91-11-26161796

Decision No.CIC/SG/A/2010/000386/7307

Appeal No.CIC/SG/A/2010/000386

Appellant : Mr. Nityanand Kumar,
C/o Dhiraj Kumar,
U-1, 1st Floor, Upadhyay Block,
Shakar Pur, Delhi-110092

Respondent : Dr. D. C. Sharma
Public Information Officer & Dy. Registrar
IGNOU, Student Evaluation program,
Maidan Garhi, Delhi-110068

RTI applications filed on : 11/09/2009

PIO replied : 13/10/2009

First Appeal filed on : 11/11/2009

First Appellate Authority order : Not enclosed

Second Appeal Received on : 10/02/2010

Information sought:

Provide the reason for not issuing Appellant his mark sheet and certificates for the exams held in June 2009.

PIO's Reply:

With reference to you letter dated 11.09.2009; it is to inform you that we are sending herewith your Grade Card status for your information.

Grounds for First Appeal:

Complete information not provided.

Order of the First Appellate Authority:

Not enclosed.

Grounds for Second Appeal:

1. PIO has failed to provide the information as sought by the Appellant.
2. Appellant also sought reply in a desired format provided by him in the application of second appeal.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Mr. Nityanand Kumar;

Respondent: Dr. D. C. Sharma, Public Information Officer & Dy. Registrar;

The Appellant had finished B.Com (Account & Finance) from IGNOU in June 2009. The degree can be issued to him only when the marks are received from ICAI. The Appellant has been struggling to get his degree which is legitimately due to him. According to the Respondent there is a MOU between School of Management of IGNOU and ICAI for this program. The Respondent states that ICAI has not sent the mark sheet to IGNOU. Hence the Appellant's degree is not being given. The Appellant had filed a RTI application on 11/09/2009 and a partial reply was given to him on 13/10/2009 which did not inform him why his degree was not given to him. This information was very reluctantly given to him ultimately on 29/01/2010. The PIO states that the person responsible for this delay was Prof. Narasimham of the School of Management Studies, IGNOU.

The Commission hopes that the Vice-Chancellor of IGNOU will look in this matter and ensure that students are not harassed in such a manner. IGNOU is certainly responsible for providing degree to the young person who put their trust and faith in it. Such insensitive and inefficient handling of matters concerning young person's degrees must be rested as soon as possible. IGNOU is responsible to ensure the career of the young people who put faith in it is not hindered by inefficiency.

Decision:

The appeal is allowed.

The information has been provided.

The issue before the Commission is of not supplying the complete, required information by the deemed PIO Prof. Narasimham within 30 days as required by the law. From the facts before the Commission it is apparent that the deemed PIO is guilty of not furnishing information within the time specified under sub-section (1) of Section 7 by not replying within 30 days, as per the requirement of the RTI Act.

It appears that the deemed PIO's actions attract the penal provisions of Section 20 (1). A showcause notice is being issued to him, and he is directed give his reasons to the Commission to show cause why penalty should not be levied on him.

Prof. Narasimham will present himself before the Commission at the above address on 06 May 2010 at 3.30 pm alongwith his written submissions showing cause why penalty should not be imposed on him as mandated under Section 20 (1). He will also submit proof of having given the information to the appellant.

If there are other persons responsible for the delay in providing the information to the Appellant the PIO is directed to inform such persons of the show cause hearing and direct them to appear before the Commission with him.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
31 March 2010

(In any correspondence on this decision, mention the complete decision number.)ASH

CC:

To,

Vice-Chancellor, IGNOU through Dr. D. C. Sharma, Public Information Officer & Dy. Registrar

CENTRAL INFORMATION COMMISSION

Complaint No. - CIC/WB/C/2009/000133 dated: 18.03.2009

Right to Information Act- Section 18(1) (b)

Complainant : Shri Amit Ghosh
Respondent : Department of Pension & Pensioners' Welfare (DoP&PW),
New Delhi.

Decision announced 31.3.2010

Facts:-

The Commission has received a complaint from Shri Amit Ghosh of Kolkatta, West Bengal that his request under RTI Act, 2005 submitted to the Central Public Information Officer, Department of Pension & Pensioners' Welfare, New Delhi, seeking answers to specific queries on Family Pension, has not been responded to, even though the same was duly submitted along with the requisite fee dated 19.07.2008. The complainant has further alleged that no order has been passed by the 1st appellate authority of the department on his appeal u/s 19(1) which has been filed on 17.09.2008.

Admitting the complaint of Shri Ghosh under Section 18(1) (b) of RTI Act, 2005 the Commission served notice on 03.03.2010 on CPIO and 1st appellate authority, Department of Pension & Pensioners' Welfare, New Delhi, for furnishing comments on the complaint. In response, both the CPIO and the appellate authority have submitted their comments dated 15.03.2010 and 12.03.2010 respectively. The CPIO, Ms. Geetha Nair, Under Secretary has informed the Commission that the application dated 19.07.2008 of the complainant could not be traced in the Desk of the CPIO and as soon as it was traced, was replied on 22.09.2009. The CPIO has enclosed a copy of the response sent to the complainant with her comments. She has further commented that subsequent applications of the complainant on related matters have been duly responded to CPIO has sought to reassure this Commission with her full commitment to her obligations under the provisions of the Act, which indicates that delayed response to the request dated 19.07.2008 is inadvertent and unintentional. She has enclosed copies of responses sent to the complainant from time to time. The CPIO has expressed regret for this delay and has requested the Commission to condone.

A similar view has been expressed by the 1st appellate authority Shri K. S. Chibb, Deputy Secretary, DoP&PW in his comments regarding the matter. He has informed the Commission that as per the records maintained in the department, the appeal dated 17.09.2008 of the complainant does not seem to have been received in the department. However, Shri Chibb has disposed of

the appeal of the complainant dated 17.09.2008 vide his order dated 12.03.2010 after obtaining a copy received through the notice of the Commission. He has stated that the subsequent appeals of the complainant have been addressed promptly by him. First Appellate Authority has assured the Commission *“However, there does not seem to be any malafide intention on the part of the CPIO to refuse or deny the desired information nor was there any obstruction in any manner on the part of the CPIO in furnishing the information to the application. The CPIO has been directed to be careful in such matters in future and respond to RTI matters promptly and within the given timeframe.”* He has further intimated that, *“This department has since sensitized all the officers/ staff about the provisions of the RTI Act, 2005 and enjoined upon them the need to promptly respond to RTI matters. They have been further apprised that failure on their part to adhere to the timelines would attract the relevant provisions of the said Act.”* No rejoinder has been filed by the complainant to the comments submitted by the CPIO and the 1st appellate authority.

Decision Notice

From a perusal of the comments submitted by both the CPIO and the Appellate Authority, it is apparent that there is a comprehensive delay in responding to the request of the complainant. The Commission observes default in registering the application received under RTI Act on the part of the CPIO, Ms. Geetha Nair, Under Secretary, DoP&PW. The Commission views this seriously. Nevertheless there is a reasonable cause for the delay resulting from an office lapse, and in light of the implied acquiescence of complainant detailed in the paragraph below, no penalty will lie. However as assured by the CPIO and the appellate authority, the Commission directs DoP&PW, to exercise greater care in processing such cases in future.

On the other hand, the complainant has not filed any rebuttal to the plea taken by the CPIO and appellate authority, which may be presumed as an indication of his satisfaction. In light of the above, nothing remains for this Commission to decide in the present case, which is hereby closed.

Announced this thirty-first day of March 2010. Notice of this decision be given free of cost to the parties.

Wajahat Habibullah
(Chief Information Commissioner)
31.03.2010



Central Information Commission
2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110 066
Website: www.cic.gov.in

(Adjunct to Decision No.3267/IC(A)/2008 dated 11/09/2008)

Decision No.3372/IC(A)/2008

F. No.CIC/MA/A/2008/01106

Dated, the 15th October, 2008

Name of the Appellant : Smt. Sarla Rastogi

Name of the Public Authority : E.S.I.C.

Facts:¹

1. The appellant, a retired employee of the respondent, has sought for certain information, which pertains to her grievances while she was in service. In brief, she has sought to know, among others, the reasons for depriving her entitlements for OTA and brief case.
2. The CPIO furnished partial information within the stipulated period of thirty days while the remaining information could not be given, as it was not available in his office. There was inordinate delay in procuring the information from other offices, i.e. the custodians of information, where the appellant was earlier working. Being not satisfied with the responses, she submitted her appeal before the Commission.
3. In our Decision No.3267/IC(A)/2008 dated 11th September, 2008 the following observations were made:
 - *Under section 4(1)(d) of the Act, an appellant is free to ask for reasons for any administrative decisions taken by a public authority. Accordingly, the information asked for have been furnished and there is no denial of information u/s 8(1) of the Act.*
 - *The appellant is, however, free to inspect the relevant documents, to ascertain as to whether the respondent has correctly indicated the reasons for denial of briefcase*

¹ "If you don't ask, you don't get." - Mahatma Gandhi



and/or non-payment of honorarium for overtime work, as claimed by her. She can also verify and scrutinize the manner in which her complaint against the identified official has been examined by the respondent.

- *The CPIO is directed to allow inspection of the relevant records within 15 working days from the date of issue of this decision.*
 - *Both the parties should mutually decide a convenient date and time for inspection of the relevant records and files.*
 - *The RTI application dated November 16, 2007, was replied on April 28, 2008. As per the provisions of the Act, the CPIO should have responded within 30 days. Since there is a delay of over five months, the CPIO is held responsible for violation of section 7(1) of the Act, which requires that information should be furnished within 30 days. The CPIO is, therefore, directed to show cause as to why a maximum penalty of Rs.25,000/- u/s 20(1) of the Act, should not be imposed on him for the delay in furnishing the information. He should submit his explanation at the earliest and also appear for a personal hearing on 15th October 2008 12.30 p.m. In case, the delay in furnishing information is due to the custodian of information, who is a deemed PIO u/s 5(4) of the Act, he should also be informed and asked to explain as to why penalty should not be imposed on him for delay in providing the information.*
 - *It has also observed that when the CPIO did not reply within one month, the appellant submitted her first appeal on February 13, 2008, in response to which the CPIO replied on April 28, 2008 and the Appellate Authority replied on May 27, 2008. Over a period, the appellant has clearly suffered all kinds of harassment in seeking information, the Appellate Authority or his nominee should explain on behalf of the respondent, as to why a suitable compensation of Rs.5000/- u/s 19 (8)(b) of the Act, should not be awarded to the appellant for all kinds of losses and detriment suffered by her.*
4. In response to the show cause notice to the CPIO & the Appellate Authority, as above, the following were present in the hearing on 15.10.2008:

Appellant : Ms. Sarla Rastogi

Respondents : Sh. B.D. Sharma, Director & CPIO
Sh. M.R. Sharma, Jt. Director, ESIH, Jhilmil
Sh. V.K. Sharma

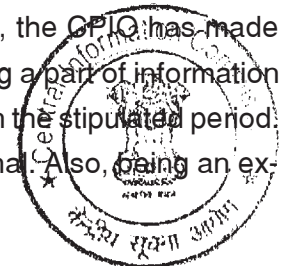
5. The respondents made oral and written submissions to provide explanation in respect of the following issues that were identified on the basis of the facts of the case:



- i) Whether the information asked for have been furnished;
 - ii) Whether there is willful denial of information in violation of Section 7(1) by the CPIO to justify imposition of penalty u/s 20(1) of the Act on him; and
 - iii) Whether the appellant has suffered losses and harassment in seeking information, which required to be compensated under Section 19(8)(b) of the Act by the respondent.
6. In the course of hearing, the CPIO stated that there was no intentional delay in providing the information. The information asked for has already been furnished on the basis of available records. Inspection of the relevant documents has also been allowed to her. There is, thus, no denial of information, he said.
 7. As regards the delay in providing the information is concerned, the CPIO said that a part of information pertained to the Jhilmil Hospital, which was obtained and furnished to the appellant. Since the information was not available in the HQs, where the application was submitted, the information could not be provided. He also said that the appellant being an ex-employee was well aware of the custodian of information and she should have accordingly approached the concerned CPIO for the information in order to avoid any delay in furnishing the information. He also said that the appellant has certain grievances relating to the period prior to her retirement and the issues raised by her pertain to alleged misuse of staff car by an officer, who has expired. He also stated that the appellant has grievances relating to non-payment of OTA and a briefcase as per her entitlement. The reasons for not acceding to her request have already been indicated and the relevant records have also been shown to her.
 8. The appellant, however, reiterated that she was discriminated in the matter of providing OTA and a briefcase and that she was also harassed during the period of her service.

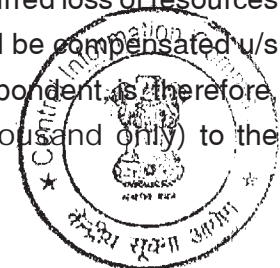
Decision Notice:

9. The respondent has provided access to the relevant documents and allowed inspection of records. On the basis of available documents, the required information has been furnished. The appellant has duly submitted a satisfaction report. Thus, the issue relating to disclosure of information is, accordingly, decided.
10. As regards the issue relating to imposition of penalty on the CPIO u/s 20(1) is concerned, it is noted that there has been inordinate delay in providing the information. Since the information asked for pertained to different constituent offices of the respondent, the CPIO has made attempts to procure information which caused some delay in providing a part of information while the relevant information available in his office was provided within the stipulated period. The delay in providing information thus cannot be termed as intentional. Also, being an ex-



employee of the respondent, the appellant knew as to who was the custodian of information, yet she did not put up application for information to the concerned CPIO. Had she directly submitted the application for information to the concerned CPIO, the delay in providing information could have been avoided. In view of this, the CPIO's plea for condonation of penalty u/s 20(1) of the Act is accepted, as there was no intentional delay on his behalf in providing information that was available in his office. The penalty proceeding is, therefore, dropped.

11. On perusal of the documents relating to the processing of papers for providing such benefits as OTA/compensatory leave and a briefcase as per entitlement of the appellant, it is evident that there was undue slow progress in processing of the case, which resulted in loss of time and consequent deprivation of benefits to the appellant. The concerned officials of the respondent were surely aware of the date of retirement of the appellant. Due to lack of empathy, the decision was not taken to deprive her of the benefits. Whereas a senior officer has favoured the payment of OTA, the respondent took a view that she was not eligible for such benefits. It reflects lack of clarity about her rights for claim of compensation in lieu of overtime work.
12. When the appellant sought to know "the reasons for depriving her from the entitled dues i.e. briefcase and OTA, the respondent has reluctantly allowed access to the relevant files, only after the necessary direction was passed by this Commission. Clearly, such an attitude has contributed to the alleged delay in providing information. It also shows lack of accountability of the respondent, as timely action was not taken on different pretexts by the concerned officials of the respondent to provide for the entitlements of the appellant while she was in service.
13. While the RTI Act seeks to promote accountability of the public authorities, in the instant case, there is sufficient evidence of lack of accountability. And, therefore, the concerned officials were hesitant to disclose the documents pertaining to the decision making process in the matter of providing the said benefits to the appellant.
14. The respondent is, therefore, held responsible for both lack of accountability in taking prompt decision in the matter of assuring entitlements to its employee, i.e. the appellant and also for the delay in allowing scrutiny of its decision making process. In the process of seeking information the appellant has, therefore, suffered harassment and incurred loss of resources - time and money – for pursuing her RTI application. This loss should be compensated u/s 19(8)(b) of the Act. The Director General of ESIC, on behalf of the respondent, is therefore, directed to pay a compensation of Rs.5,000/- (Rupees Five Thousand only) to the



appellant through a Bank Draft in favour of the appellant latest by 30th November 2008, failing which a penal interest of ten per cent per annum would be applicable.

15. A compliance report should be submitted by the CPIO within ten days from the date of payment of the above amount of compensation to the appellant.
16. The appeal is thus disposed of.

Sd/-

(Prof. M.M. Ansari)

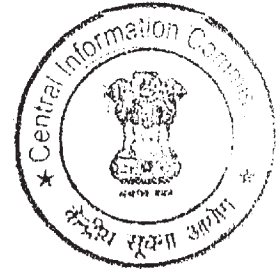
Central Information Commissionerⁱⁱ

Authenticated true copy:



(M.C. Sharma)

Assistant Registrar



Name & address of Parties:

1. Ms. Sarla Rastogi, 51-B, Pocket-B, Dilshad Garden, Delhi – 110 095.
2. Sh. B.D. Sharma, Director & CPIO, Employees' State Insurance Corporation, Panchdeep Bhawan, CIG Road, New Delhi-110 002.
3. Sh. A.J. Pawar, Insurance Commissioner & Appellate Authority, Employees' State Insurance Corporation, Panchdeep Bhawan, CIG Road, New Delhi – 110 002.
4. The Director General, Employees' State Insurance Corporation, Panchdeep Bhawan, CIG Road, New Delhi – 110 002.

ⁱⁱ "All men by nature desire to know." - Aristotle

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/001333/8354

Appeal No. CIC/SG/A/2010/001333

Relevant Facts emerging from the Appeal:

Appellant : Mr. Manish Jain
A-34, Sudama Nagar,
Indore-452009.

Respondent : Public Information Officer & Director
Employees' State Insurance Corporation
Panchdeep Bhavan, CIG Road,
New Delhi 110002

RTI application filed on : 01/02/2010

PIO replied : 17/03/2010

First appeal filed on : 18/03/2010

First Appellate Authority order : 20/04/2010

Second Appeal received on : 25/05/2010

Information Sought

The Appellant sought information regarding the whole selection process for the Post of Specialist GR II (Jr. Scale) in reference to the interview held from 29/06/2009 to 04/07/2009 against the advertisement that appeared in the local newspaper on 25/04/2008 along with a copy of the minutes of the meeting and related documents.

Reply of the Public Information Officer (PIO)

The information cannot be provided in view of Section 8(i)(e) and (g) of the RTI Act.

Grounds for the First Appeal:

Non-supply of information by the PIO.

Order of the First Appellate Authority (FAA):

The FAA observed that the information was rightly denied under Section 8(i)(e) and (g) of the RTI Act as the disclosure of such information would effect the confidentiality and integrity of the recruitment process and may also endanger the safety of the persons involved in the process of selection. Moreover, such disclosure would serve no public purpose.

Grounds for the Second Appeal:

Unfair disposal of the appeal by the FAA.

Relevant Facts emerging during Hearing:

Both the parties were given an opportunity for hearing. However, neither party appeared. The appellant has sought information regarding the whole selection process for the Post of Specialist GR-II (Jr. Scale) in reference to the interview held from 25/06/2009 to 04/07/2009 against advertisement appearing in local news paper on 25/04/2008 along with a copy of the minutes of the meeting. The PIO has given a reply late refusing to give the information claiming exemption under Section 8(1)(e) & (g). The FAA has upheld the decision of the PIO stating that, "the disclosure of information would affect the confidentiality and integrity of the recruitment process and also may endanger the safety of a person involved in the process of selection.

The PIO has made no effort to give any reasons as to how exemptions under Section 8(1)(e) &(g) would apply in the instant case. Right to Information is a fundamental right of citizens and denial of information can only be justified if it is exempt under Section 8(1) of the RTI Act. The Act clearly places the responsibility on the PIO to be very careful in denying the information. Giving of information should be the rule and denial the exception. Section 19(5) of the RTI Act clearly puts the onus to prove that a denial of a request was justified on the PIO. The PIO has given no reasoning to justify how Section 8(1)(e) & (g) would apply. The FAA has given no justification for Section 8(1)(e) but has claimed that releasing the information may endanger the safety of the persons involved in the selection process. The Commission is however analyzing the exemptions claimed by the PIO:

1. Section 8 (1) (e) of the RTI Act exempts from disclosure 'information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;'

The traditional definition of a fiduciary is a person who occupies a position of trust in relation to someone else, therefore requiring him to act for the latter's benefit within the scope of that

relationship. In business or law, we generally mean someone who has specific duties, such as those that attend a particular profession or role, e.g. doctor, lawyer, financial analyst or trustee. Another important characteristic of such a relationship is that the information must be given by the holder of information who must have a choice,- as when a litigant goes to a particular lawyer, a customer chooses a particular bank, or a patient goes to particular doctor. An equally important characteristic for the relationship to qualify as a fiduciary relationship is that the provider of information gives the information for using it for the benefit of the one who is providing the information. All relationships usually have an element of trust, but all of them cannot be classified as fiduciary. Information provided in discharge of a statutory requirement, or to obtain a job, or to get a license, cannot be considered to have been given in a fiduciary relationship.

In the instant case the details of how a person was selected for a job in a public authority is not given to the authority in a fiduciary relationship but is provided by the selection committee in discharge of its duties. The selection committee has no choice about whom it can give the information to nor is the information given for its own benefit.

2. To claim that people who are not selected by a Committee would cause harm to members of the selection committee is indeed very far fetched. Yet if the PIO believes this to be a serious concern he could blank out the names of the members who may have expressed certain opinions or done any grading when releasing the information as per Section-10 of the RTI Act. Hence the PIO's claim for exemption under Section 8(1)(e) & (g) is not upheld.

Decision:

The Appeal is allowed.

The PIO is directed to provide the complete information to the appellant before 20 July 2010. If he feels that the safety of the members of the selection committee is likely to be endangered he may blank out the names of the selection committee members if they have given any individual opinions or grades or marks.

The issue before the Commission is of not supplying the complete, required information by the PIO within 30 days as required by the law.

From the facts before the Commission it is apparent that the PIO is guilty of not furnishing information within the time specified under sub-section (1) of Section 7 by not replying within 30 days, as per the requirement of the RTI Act.

It appears that the PIO's actions attract the penal provisions of Section 20 (1). A showcause notice is being issued to him, and he is directed give his reasons to the Commission to show cause why penalty should not be levied on him.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailesh Gandhi
Information Commissioner

(In any correspondence on this decision, mention the complete decision number.)(ND)



CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/DS/A/2010/000022/SG/8262

Appeal No. CIC/DS/A/2010/000022/SG

Relevant Facts emerging from the Appeal:

Appellant : Mr. Satyajeet Kumar
M/S filmland studio, Near Shilpi Cinema,
Salempur, Chhapra
Bihar- 841301

Respondent : Mr. B. D. Sharma
Public Information Officer and Director,
ESI Hqrs office, ESI Corporation.
Panchadeep Bhavan, CIG Marg,
New Delhi 110002

RTI application filed on : 25/03/2009

PIO replied : 16/04/2009

First appeal filed on : copy enclosed but not legible.

First Appellate Authority Ordered on : 17/07/2009

Second Appeal received on : 27/08/2009

Information Sought:

1. Furnish bifurcation of marks obtained by the Applicant in written, skill test and interview and marks of selected candidates and lowest marks under UR category.
2. Furnish the rank of the Applicant among the candidates selected for interview.
3. Furnish weight age of marks in written test/ Computer/ Interview.
4. Kindly enclose rule position regarding composition of the selection committee.

Reply of the Public Information Officer (PIO):

Reply sent for query no. 1 & 3 is enclosed.

For query no. 2 & 4 information cannot be disclosed.

Grounds for the First Appeal:

Unsatisfactory information provided by the CPIO.

First Appellate Authority (FAA) order:

The CPIO is directed to give sufficient information to the Applicant.

Grounds for the Second Appeal:

Unsatisfactory information is provided by CPIO & FAA.

Relevant Facts emerging during Hearing:

The following were present

Appellant : Absent;

Respondent : Mr. Raj Kanwal, Jt. Director (RTI) representing Mr. B. D. Sharma, Public Information Officer and Director,; Mr. Ganesh Shankar Giri, Jt Director & Deemed PIO;

The PIO states that he has provided the information that has not been provide to the appellant earlier after the order of the FAA. The Commission has perused the information which had been sent and directs the PIO to send the recruitment regulation of the concerned post to the appellant.

Decision:

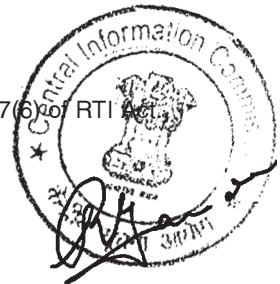
The Appeal is allowed.

The PIO is directed to send an attested copy of the recruitment regulation of the concerned post to the appellant before 05 July 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailesh Gandhi
Information Commissioner
25 June 2010

(In any correspondence on this decision, mention the complete decision number.)(ARG)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/DS/A/2010/000321/SG/8340

Appeal No. CIC/DS/A/2010/000321/SG

Relevant Facts emerging from the Appeal:

Appellant : Mr. Kapil Arora
A 8/9, Rana Pratap Bagh,
Delhi – 110007

Respondent : Mr. Raj Kumar
Public Information Officer & Assistant Regional Director
Employees State Insurance Corporation,
Divisional Office, ESIC, Nand Nagari,
Dispensary Complex,
Delhi

RTI application filed on : 12/10/2009

PIO replied : 15/10/2009

First appeal filed on : 03/11/2009

First Appellate Authority order : 18/12/2009

Second Appeal received on : 28/12/2009

Sl.	Information Sought	Reply of the Public Information Officer (PIO)
1.	According to the letter dated 06/04/2009, has Kapil Arora been made a member of the ESIC? What actions have been taken in this respect?	Since no details regarding this appointment and person have been provided, no information pertaining to this can be obtained.
2.	According to the letters dated 06/04/2009 and 04/09/2009, what actions have been taken pertaining to the information mentioned in letters? A photocopy of the actions.	The information regarding this is currently being dealt with in the Supreme Court, and hence no information can be provided regarding it.

Grounds for the First Appeal:

Unsatisfactory information provided by the PIO

Order of the First Appellate Authority (FAA):

The Appellant is directed to come and inspect the files for the information asked for.

Grounds for the Second Appeal:

Unsatisfactory information provided by the PIO

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Mr. Kapil Arora;

Respondent: Mr. Raj Kumar, Public Information Officer & Assistant Regional Director;

The appellant has been provided all the information by the PIO. The appellant has some grievances about what he believes is some manipulation by his employers. The appellant will have to agitate this at some other forum.

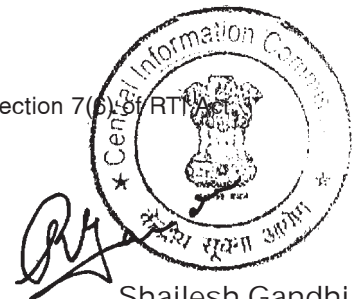
Decision:

The Appeal is dismissed.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailesh Gandhi
Information Commissioner
29 June 2010

(In any correspondence on this decision, mention the complete decision number.)(YM)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/001394/8413

Appeal No. CIC/SG/A/2010/001394

Relevant Facts emerging from the Appeal:

Appellant : Dr. A.K. Dawar
M-39-C, Rajori Garden,
New Delhi

Respondent : Mr. P. D. Sharma
Public Information Officer & Director
Employees State Insurance Corporation,
Panchdeep Bhavan, C.I.G Road
New Delhi-110002

RTI Filed on : 13/03/2009

PIO replied : 28/04/2009

First appeal filed on : 26/05/2009

First Appellate Authority Ordered on : 07/10/2009

Second Appeal received on : 11/12/2009

S.No.	Information Sought	Reply of the PIO
1.	Furnish information regarding placement of Seniors specialist Grade I and Medical officers who have been placed in the grade of SAG in the Band 4 on regular bases. Also provide the official order which has been placed in the said pay scale under the Dynamic Assured Career Progression scheme.	Yes
2.	Furnish information regarding the criteria of promotion of higher grade which was only based on length of service excluding all other conditions and the DACP Scheme which has been recommended by 6th pay commission.	Yes promotion has been given according to DPC recommendation.

S.No.	Information Sought	Reply of the PIO
3.	Provide details and copies of meeting of DPC held on 18.2.2009 which considered any other criteria or condition except the length of service.	Any other criterion considered by DPC is not known to this office.
4.	Kindly inform regarding the ACR's taken for the purpose of placement in SAG scale. Kindly supply the order, rule, notification which speaks about it.	Information enclosed
5.	Kindly provide the details of the application for the last 5 years of the ACR of the appellant with remarks & grading awards by the Reporting Officer & the remarks of reviewing office with their names.	Information enclosed
6.	Kindly provide the complete noting of DPC held on 18/02/2009 for the purpose of placement under the grade of SAG.	Document cannot be provided.
7.	Kindly provide information regarding not placing the Applicant in the scale of SAG despite that the Applicant name was shown in the list of eligible persons.	The Applicant's name has not been considered for placement in SAG scale by the DPC.

Grounds for the First Appeal:

1. Photocopies of ACR not provided.
2. Names of reviewing and reporting officer is not given and their remarks not given.
3. Complete noting of DPC held on 18/02/2009.

First Appellate Authority (FAA) order:

Information provided by CPIO is sufficient.

Grounds for the Second Appeal:

Unsatisfactory information provided by CPIO & FAA.

Relevant Facts emerging during Hearing:

The following were present:

Appellant : Dr. A.K. Dawar

Respondent: Mr. Raj Kanwal, Jt. Director (RTI) on behalf of Mr. P. D. Sharma, PIO & Director;
Ms. Manju Swaminathan, Deemed PIO & Dy. Director (Medical Branch);

The appellant states that he now needs information regarding query-5. In query-5 the appellant had sought copies of his own Annual Confidential Reports (ACR). The PIO has refused to give this information claiming that though the Supreme Court has ruled that ACRs of the employees must be given as per DOPT Circulars only ACRs issued after the date of the Supreme Court's Judgment would be given. The PIO has also claimed exemptions Section 8(1)(e) & (g) of the RTI Act. Under the RTI Act information can be denied to a citizen exercising his fundamental right only if it is exempt under Section 8(1) of the Act. Section 8(1)(e) of the RTI Act exempts, "information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;".

Section 8 (1) (e) of the RTI Act exempts from disclosure 'information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;'

The traditional definition of a fiduciary is a person who occupies a position of trust in relation to someone else, therefore requiring him to act for the latter's benefit within the scope of that relationship. In business or law, we generally mean someone who has specific duties, such as those that attend a particular profession or role, e.g. doctor, lawyer, financial analyst or trustee. Another important characteristic of such a relationship is that the information must be given by the holder of information who must have a choice,- as when a litigant goes to a particular lawyer, a customer chooses a particular bank, or a patient goes to a particular doctor. An equally important characteristic for the relationship to qualify as a fiduciary relationship is that the provider of information gives the information for using it for the benefit of the one who is providing the information. All relationships usually have an element of trust, but all of them cannot be classified as fiduciary. Information provided in discharge of a statutory requirement, or to obtain a job, or to get a license, cannot be considered to have been given in a fiduciary relationship.

In the instant case senior officers give the ACR of an employee as part of the duties in a job. These officers have no choice in the matter nor are they given it for their own benefit to the Government. Hence fiduciary relationship can not be claimed for ACRs.

Section 8(1)(g) of the RTI Act exempts, "information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;". It is a very sad comment on an organization if it states that if information about the evaluation done by senior officer disclosed to the junior officers, junior officers are likely to endanger the life or physical safety of such senior officers. This is a very poor reflection on the employees of the public authority if this is the perception of employees working in these organizations. The Commission is not in a position to judge whether employees of a particular organization are law abiding or people who might endanger the life and physically

safety of their senior officers. If however the public authority believes this danger to be true it may sever the names of the officers who have given the reports as per Section-10 of the RTI Act.

Decision:

The Appeal is allowed.

The PIO is directed to provide the attested photocopies of the ACRs sought by the appellant before 25 July 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailesh Gandhi
Information Commissioner

06 July 2010

(In any correspondence on this decision, mention the complete decision number.)(YM)



CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/001430/8499

Appeal No. CIC/SG/A/2010/001430

Relevant Facts emerging from the Appeal

Appellant : Dr. Prem Lata Chaudhari
I-45 Jangpura Extention
New Delhi-110014

Respondent : Mr. B. D. Sharma
CPIO & Director
Employees State Insurance Corporation
Panchdeep Bhawan, CIG Road,
New Delhi – 02.

RTI application filed on : 01/09/2009

PIO replied : 26/10/2009

First appeal filed on : 27/10/2009

First Appellate Authority order : 10/12/2009

Second Appeal received on : 21/01/2010

Information Sought

The Appellant sought information regarding –

- The photocopy of the complete ACR document of the years considered for placement to the SAG grade i.e. year 2002-2003 to 2006-2007.

Reply of the Public Information Officer (PIO)

Information pertaining to ACR's for the years 2002-03 to 2006-2007 could not be provided under the RTI Act.

Grounds for the First Appeal:

Unsatisfactory information provided by the PIO.

Order of the First Appellate Authority (FAA):

The FAA had informed the Appellant that the photocopy of the desired information could not be provided under the RTI Act.

Grounds for the Second Appeal:

Unsatisfactory information provided by the PIO and unfair disposal of the appeal by the FAA.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Absent;

Respondent: Mr. Raj Kanwal, Jt. Director (RTI) on behalf of Mr. B. D. Sharma, CPIO & Director; Mrs. Manju Swaminathan, Dy. Director(HQ);

The appellant has sought copies of her annual confidential report (ACR) which has been denied by the PIO claiming exemption under Section 8(1)(j) of the RTI Act.

Under Section 8 (1) (j) information which has been exempted is defined as:

“information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:”

It is very clear that Section 8(1)(j) is meant to protect the privacy of an individual where disclosure may affect the right to privacy of an individual. It is unthinkable how a person can invade his own privacy. Any human being had the complete right to know about himself or herself and the argument that a person can invade his or her own privacy is untenable. The PIO states that he would also now like to claim exemption under Section 8(1)(e) and 8(1)(g).

Section 8 (1) (e) of the RTI Act exempts from disclosure ‘information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;’

The traditional definition of a fiduciary is a person who occupies a position of trust in relation to someone else, therefore requiring him to act for the latter’s benefit within the scope of that relationship. In business or law, we generally mean someone who has specific duties, such as those that attend a particular profession or role, e.g. doctor, lawyer, financial analyst or trustee. Another important characteristic of such a relationship is that the information must be given by the holder of information who must have a choice,- as when a litigant goes to a particular lawyer, a customer chooses a particular bank, or a patient goes to particular doctor. An equally important characteristic for the relationship to qualify as a fiduciary relationship is that the provider of information gives the information for using it for the benefit of the one who is providing the information. All relationships usually have an element of trust, but all of them cannot be classified

as fiduciary. Information provided in discharge of a statutory requirement, or to obtain a job, or to get a license, cannot be considered to have been given in a fiduciary relationship. The reporting officers were clearly performing a job in discharge of their official duties and it cannot be claimed that they gave the annual confidential reports to the public authority for their own benefit or that they had any choice in the matter. Hence the claim that Section 8(1)(e) applies is not tenable.

The PIO's claim for exemption under Section 8(1)(g) is now examined. Section 8(1)(g) exempts, "information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;". The Commission finds the claim of Section 8(1)(g) as being almost derogatory for the organization itself. It implies that if an employee learns about a senior officer having passed certain remarks which will affect the employee of the public authority, such employees are likely to endanger the physical safety of the senior officers. If this is a true assessment of the employees of an organization it is indeed a sad comment because employees of an organization may endanger the physical safety of the reporting/reviewing officer. The Commission does not find this as a reasonable argument and unless there are clear grounds which can be quoted with some certainty the fundamental right of a citizen under Right to Information cannot be abrogated. The PIO has quoted certain decisions of the Commission in file nos. CIC/MA/A/2008/00786, CIC/MA/A/2008/00578 and CIC/MA/A/2008/00533 to justify his denial of information. The Commission does not find any justification for supporting the grounds quoted by the PIO in these decisions.

The Commission would also like to observe that the Supreme of India has also held that the ACR's of any employee must be given to him.

Decision:



The Appeal is allowed.

The PIO is directed to provide the copies of the appellant ACR to her before 30 July 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.


Shailesh Gandhi
Information Commissioner
July 2010


(In any correspondence on this decision, mention the complete decision number.)(YM)

CENTRAL INFORMATION COMMISSION

Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.

Tel: +91-11-26161796

Decision No. CIC/SG/C/2010/000906/8507

Complaint No. CIC/SG/C/2010/000906

COMPLAINT REMANDED TO : First Appellate Authority
Employee's Provident Fund Organization
Headquarter Office,
ESIC – Panchdeep Bhawan,
C.I.G. Marg, New Delhi - 110002.

Complainant : Dr. Mrs. Pramila Bhatia,
Senior Specialist,
Department of Radiology,
ESI Hospital, Okhla,
New Delhi.

Public Information Officer : Public Information Officer
Employee's Provident Fund Organization
Headquarter Office,
ESIC – Panchdeep Bhawan,
C.I.G. Marg, New Delhi - 110002.

Decision:

The complainant had filed an application with the PIO on 22/07/2009 asking for certain information. She received a reply from the PIO, which she found unsatisfactory. The complainant has therefore filed a complaint with the Commission under Section 18 of the RTI Act, 2005. The complainant has not used the alternate and efficacious remedy of First Appeal available under Section 19 (1) of the RTI Act. Consequently, the First Appellate Authority has not had the chance to review the PIO's decision as envisaged under the RTI Act.

Therefore, the matter is remanded to the First Appellate Authority with a direction to decide the matter in accordance with the provisions of the RTI Act, after giving all concerned parties an opportunity to be heard.

The Complaint is disposed off.

Notice of this decision be given free of cost to the parties.



Shailesh Gandhi
Information Commissioner



13-07-2010

Encl: Copy of RTI Application dated 22-07-2009.

Copy of PIO's reply dated 03-05-2010.

(For any further correspondence in this matter, please quote the file no. mentioned above) BKY

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

Old JNU Campus, New Delhi - 110067

Tel: +91-11-26161796

Decision No. CIC/DS/A/2009/000148/SG/9238

Appeal No. CIC/DS/A/2009/000148/SG

Relevant Facts emerging from the Appeal

Appellant : Mr. Surya Prakash Sharma,
UDC Regional office,
E.S.I.C, Panchdeep Bhawan,
Bhawani Singh road
Jaipur-302001

Respondent : Mr. B. D. Sharma
CPIO & Additional Commissioner
Employees' State Insurance Corporation
Panchdeep Bhawan, CIG Road,
New Delhi-110002

RTI application filed on : 05/03/2009

PIO replied : 01/04/2009

First appeal filed on : 29/04/2009

First Appellate Authority order : 04/06/2009

Second Appeal received on : 29/08/2009

S.No	Information Sought	Reply of the Public Information Officer (PIO)
1.	Specify the separate & individual marks secured in all the 3 question papers.	Marks secured in each subject is as follows Paper I-41 Paper II-56 Paper III-94
2.	Please mention the cut off marks in the General category, secured in the examination in the Rajasthan region.	Cut off marks of the general category is 194

S.No	Information Sought	Reply of the Public Information Officer (PIO)
3.	Specify as to what amount of money needs to be submitted to receive the photocopies of all the 3 answer sheets.	To maintain the integrity and sanctity of the selection process photocopies of the answer sheets can't be provided. Hence, amount to be paid is not furnished here with.
4.	Specify as to what amount of money needs to be submitted to receive the photocopies of all the 3 answer booklets of the topper in the Rajasthan Region	To maintain the integrity and sanctity of the selection process photocopies of the answer sheets can't be provided. Hence, amount to be paid is not furnished here with.

Grounds for the First Appeal:

Unsatisfactory information provided by the PIO as regards to Q.3 & 4.

Order of the First Appellate Authority (FAA):

The FAA reiterated the PIO's statement.

Grounds for the Second Appeal:

Unsatisfied information provided by the PIO as well as the FAA's order.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Mr. Surya Prakash Sharma on video conference from NIC-Jaipur Studio;

Respondent: Mr. Raj Kanwal, Joint Director (RTI) on behalf of Mr. B. D. Sharma, CPIO & Additional Commissioner;

The PIO has refused to give the answer sheets. This is not the correct position in law since the Commission in a full bench decisions in Complaint No. CIC/WB/C2006/00223; Appeal Nos. CIC/WB/A/2006/00469; & 00394 ; Appeal Nos. CIC/OK/A/2006/00266/00058/00066/00315 has decided *"In so far as examinations conducted by other public authorities, the main function of which is not of conducting examinations, but only for filling up of posts either by promotion or by recruitment, be it limited or public, the rationale of the judgments of the Supreme Court may not be applicable in their totality, as in arriving at their conclusions, the above judgments took into consideration various facts like the large number of candidates, the method and criteria of selection of examiners, existence of a foolproof system with proper checks and balances etc. Therefore, in*

respect of these examinations, the disclosure of the answer sheets shall be the general rule but each case may have to be examined individually to see as to whether disclosure of evaluated answer sheets would render the system unworkable in practice. If that be so, the disclosure of the evaluated answer sheets could be denied but not otherwise. However, while doing so the concerned authority should ensure that the name and identity of the examiner, supervisor or any other person associated with the process of examination is in no way disclosed so as to endanger the life or physical safety of such person. If it is not possible to do so in such cases, the authority concerned may decline the disclosure of the evaluated answer sheets u/s 8 (1) (g)."

However, the PIO has disclosed that as per the records detention schedule answer sheets are weeded out after one from the date of declaration of the results. He has informed the Commission that the answer sheets have been weeded out on 13/05/2010. The PIO is directed to provide a copy of the relevant weeding out schedule alongwith a copy of the register of results of the departmental exam to the appellant.

Decision:

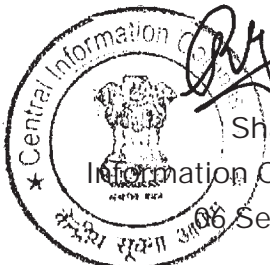
The Appeal is allowed.

The PIO is directed to provide a copy of the relevant weeding out schedule alongwith a copy of the register of results of the departmental exam to the appellant before 30 September 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.


Shailesh Gandhi
Information Commissioner
06 September 2010

(In any correspondence on this decision, mention the complete decision number.) (VN)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/001973/9393

Appeal No. CIC/SG/A/2010/001973

Relevant Facts emerging from the Appeal

Appellant : Mr. Arvin Kumar Jaiman
C/o Lokesh Tiwadi
C-80, J.P Colony,
Imliwala Fatak
Jaipur (Rajasthan).

Respondent : Mr. B. D. Sharma
Public Information Officer & Additional Commissioner
Employees' State Information Corporation
Panchdeep Bhavan, C.I.G Road,
New Delhi-110002

RTI application filed on : 06/01/2010

PIO replied : 04/03/2010

First appeal filed on : 25/03/2010

First Appellate Authority order : 27/04/2010

Second Appeal received on : 13/05/2010

S.No	Information Sought	Reply of the Public Information Officer (PIO)
1.	Specify as to which formula was used in the final selection process.	Candidates were selected on the basis of the marks obtained by them in the interview. Screening test was conducted to select the candidates. No rule for selection has been made for the marks obtained in the screening test. Final selection is one on the basis of marks obtained in the interview.

S.No	Information Sought	Reply of the Public Information Officer (PIO)
2.	Specify as to what was the cut off limit in the final selection process?	The final cut off lists of all the categories is as follows UR-76, OBC-68, SC-60.
3.	Mention the marks obtained by the appellant in the written examination?	The marks obtained by the candidate in the written test are 86.
4.	Mention the marks obtained by the appellant in the interview.	The marks obtained by the candidate in the interview are 65.
5.	Provide the name, gender and category of the selected candidates.	The list of the selected candidates is enclosed.
6.	Please provide the written copy of waiting list along with the cut off list if any.	This information can't be made available as per S.8 (1) (g) & (j) of the RTI Act 2005.

Grounds for the First Appeal:

Unsatisfactory information provided by the PIO.

Order of the First Appellate Authority (FAA):

The FAA reiterated the PIO's statement.

Grounds for the Second Appeal:

Unsatisfactory information provided by the PIO.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Mr. Arvin Kumar Jaiman on video conference from NIC-Jaipur Studio;

Respondent: Mr. Raj Kanwal on behalf of Mr. B. D. Sharma, Public Information Officer & Additional Commissioner;

The PIO states that they have realized the error in refusing to give information on query-6 earlier and have sent the information to the appellant on 14 September 2010. The PIO has provided the cutoff marks that were used. The appellant however feels that the cutoff marks may have been different for the reserved list candidates. The PIO will inform the appellant if this is so. The PIO will inform the appellant the cutoff marks for the reserved list even if this is same for the other candidates.

Decision:

The Appeal is allowed.

The PIO is directed to give the information as directed above to the appellant before 30 September 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailesh Gandhi
Information Commissioner
16 September 2010

(In any correspondence on this decision, mention the complete decision number.) (VN)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/DS/A/2009/000013/SG/9124
Appeal No. CIC/DS/A/2009/000013/SG

Relevant Facts emerging from the Appeal:

Appellant : Dr. S D Sambrani,
IMO In – Charge of Casualty,
ESIC Model Hospital,
Rajaji Nagar, Bangalore – 560010.

Respondent : Mr. Manish Gupta
Deemed PIO & Assistant Director
Employees State Insurance Corporation
Panchdeep Bhawan CIG Road,
New Delhi

RTI application filed on : 16/03/2007

PIO replied : 02/06/2009

First appeal filed on : 03/07/2009

First Appellate Authority order : Not enclosed

Second Appeal received on : 14/10/2009

Information Sought

The Appellant sought information regarding –

- Up-to-date list of the names of the members of the standing committee of ESIC, (vide R.2. (j) of ESIC (Staff and conditions of Service)) Regulation 1959, with their designations, mailing addresses and phone numbers.
- Whether the DG has obtained written approval of the ‘Standing Committee as to relaxation of assessment of grading to be allowed in the case of SC/ST candidates in assessment of grading of CR for one year only despite the DOPT OM No. 36012/28/96-Estt (Res.) Vol. II Dt. 3.10.2000, for the purpose of considering promotions to the grade of CMO (NFSG), if so, kindly provide me an attested copy of such approval given by the ‘Standing Committee and the order of the DC. If any, thereon with specific dates.

Reply of the Public Information Officer (PIO)

Reply enclosed by the PIO with the relevant information.

Grounds for the First Appeal:

Unsatisfactory information provided by the PIO.

Order of the First Appellate Authority (FAA):

No order passed by the FAA.

Grounds for the Second Appeal:

Unsatisfactory information provided by the PIO and No order passed by the FAA.

Submission received from Respondent:

The respondent has sent his submission stating that the information has been provided to the appellant by letters of 23/04/2007 and 27/04/2007. Further information was also provided to the appellant on 04/06/2007. The PIO claims that all the information thus has been provided.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Absent;

Respondent: Mr. Manish Gupta, Deemed PIO & Assistant Director;

The respondent shows that the complete information has been provided to the appellant. From a perusal of the papers this appears to be correct. The appellant has claimed that he has not received the information which the respondent claims to have sent on 27/04/2007. The Commission is attaching the information sent by the respondent on 24/07/2007.

Decision:


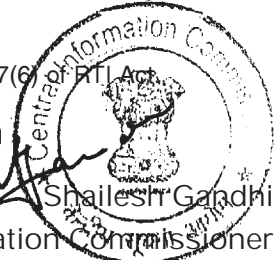
The Appeal is dismissed.

The information appears to have been provided.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act



Shailesh Gandhi
Information Commissioner
30 August 2010

(In any correspondence on this decision, mention the complete decision number.)(YM)

CENTRAL INFORMATION COMMISSION

Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.

Tel: +91-11-26161796

Decision No. CIC/SG/C/2010/000855/9220

Complaint No. CIC/SG/C/2010/000855

COMPLAINT REMANDED TO : First Appellate Authority
Employees State Insurance Corporation
Panchdeep Bhawan, CIG Marg
New Delhi- 110002

Complainant : Mr. Nitesh Kumar Tripathi
Room No. 101, Boys Hostel
RIMS and R, Saifi, Etawah
Uttar Pradesh- 206301

Public Information Officer : PIO & Asst Director (RTI)
HQ Office
Employees State Insurance Corporation
Panchdeep Bhawan; CIG Marg
New Delhi- 110002

Decision:

Mr. Nitesh Kumar Tripathi had filed a RTI application with the CPIO, ESIC, Panchdeep Bhawan, CIG Marg on 11/03/2010 asking for certain information. However on not having received the information within the mandated time, the Complainant filed a complaint under Section 18 of the RTI Act with the Commission. On this basis, the Commission issued a notice to the PIO, ESIC, Panchdeep Bhawan on 30/06/2010 with a direction to provide the information to the Complainant and further sought an explanation for not furnishing the information within the mandated time.

The Commission received a letter dated 28/07/2010 from the PIO & Asst Director (RTI), HQ Office, ESIC, Panchdeep Bhawan; CIG Marg, wherein it was stated that their office did not receive the original RTI Application dated 11/03/2010, hence no information was provided to the Complainant. It was further stated that subsequent to the Commission's notice, the Application was forwarded to the concerned departments of ESIC for providing necessary information to the Complainant.

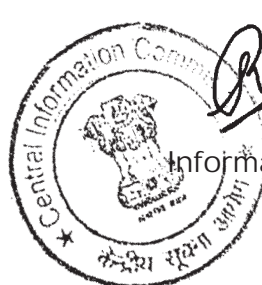
Thereafter, the Commission received a letter dated 02/08/2010 from the Complainant alleging that information provided is incomplete and not in compliance with the Commission's notice.

The Complainant is hereby directed to present the information that was provided to him by the PIOs to the First Appellate Authority and further use the alternate and efficacious remedy of First Appeal available under Section 19 (1) of the RTI Act. Subsequently, as envisaged under the RTI Act, the First Appellate Authority will have the chance to review the PIOs replies that were provided to the Complainant with regard to the RTI Application dated 11/03/2010 and decide whether the information provided is appropriate or not.

Therefore, the matter is remanded to the First Appellate Authority with a direction to decide the matter in accordance with the provisions of the RTI Act, after giving all concerned parties an opportunity to be heard.

The Complaint is disposed off.

Notice of this decision be given free of cost to the parties.



Shailish Gandhi

Shailish Gandhi
Information Commissioner

06/09/2010

Encl: Copy of RTI Application dated 11/03/2010

Copy of the PIOs replies dated 04/08/2010, 29/07/2010, 23/07/2010, 28/05/2010

(For any further correspondence in this matter, please quote the file no. mentioned above) (JA)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/002040/9410

Appeal No. CIC/SG/A/2010/002040

Relevant Facts emerging from the Appeal:

Appellant : Mr. Abhay Singh
C/o Mr. Bhagwan Ram
Muzzafar Nagar Medical College
Begraipur, Police Station : Mansurpur,
District : Muzzafar Nagar (Uttar Pradesh)

Respondent : Mr. B. D. Sharma,
PIO & Additional Commissioner
Employees State Insurance Corporation
(Head Quarters)
Panchdeep Bhawan, CIG Road,
New Delhi- 110002.

RTI application filed on : 02/04/2010
PIO replied : 29/04/2010
First appeal filed on : 21/05/2010
First Appellate Authority order : Not enclosed
Second Appeal received on : 16/07/2010

S.No.	Information Sought	Reply of the PIO
1.	A) How many marks did Mr. Ajay Singh (Roll No 19406208) score in the written examination held for the post of Staff nurse on 12/07/2009? B) Whether the candidate qualified in the above mentioned examination C) The percentage of marks obtained by the candidate in the above mentioned examination.	A) The appellant received 78 marks in the Written test (Screening test) B) The candidate qualified in the written test, due to which he was called for the interview. C) The appellant received 78% marks in the exam.

S.No.	Information Sought	Reply of the PIO
2.	<p>A) What is the process of appointment of employees?</p> <p>B) What are total points of the written examination and interview separately? How is the appointment done on the basis of these marks? Provide the details of the rules and guidelines.</p> <p>C) Have the above mentioned rules been changed after March – April, 2009? If yes, please provide details of the same.</p>	<p>A) The appointment is made according to the marks obtained in the interview</p> <p>B) The written examination and the interview are both for 100 marks each. The candidates are selected for the interview according to the marks in the written examination. However the basis for appointment of the written examination is not been mentioned specifically.</p> <p>C) The final appointment is made according to the marks obtained in the interview.</p>
3.	<p>A) How is the result of the written examination and interview given to the candidate and when is it given? Please provide with rules, if the result is not given then the reasons for the same may be given.</p> <p>B) Was the appellant informed about his marks in the written exam and interview? If yes, then How and When was he informed? If not then why? Who is official responsible for the same?</p>	<p>A) The department is not responsible to deliver the result to the candidates separately. Only is a candidate applies for knowing the result, he/she is given the detailed result.</p> <p>B) The department is not obliged to deliver the result to any candidate; hence no result was delivered to the appellant.</p>
4.	<p>A) Can a candidate be rejected from appointment only on the basis of the marks obtained in the interview? Provide the rules regarding the same.</p> <p>B) How is the appointment of the post done according to the marks obtained in the written examination and interview? Provide the rules and details of the same.</p>	<p>A) The final appointment is made according to the marks obtained in the interview.</p> <p>B) As Above.</p>

S.No.	Information Sought	Reply of the PIO
5.	<p>The appellant had appeared for the interview on 09/12/2009.</p> <p>A) Name, post and details of the officer who took the interview</p> <p>B) The eligibility and any special qualifications of the interviewer may be mentioned.</p> <p>C) Were all the interviewers civil servants? If not then please provide details of those officers.</p> <p>D) Details of the assets of the officials who interviewed the candidates</p>	<p>The following information cannot be given under the rules and guidelines of the RTI Act, 2005.</p>
6.	<p>A) The list of marks obtained by all the candidates in the interview with each separate list of marks given to candidates by each interviewer.</p> <p>B) The two officers who gave the appellant the maximum and the minimum marks in the interview</p>	<p>A) The list of the candidates and their marks in enclosed</p> <p>B) The appellant received 57% marks in his interview.</p>
7.	<p>A) The reason why the appellant was given a different date in written for the interview and told a different date orally?</p> <p>B) Name, post and details of the officer responsible for the error mentioned above. What actions have been taken against the officer, by the department?</p> <p>C) What actions have been taken against official who caused mental stress to the appellant? If not then why has no action been taken? What actions will be taken if the official is found guilty?</p>	<p>A) & B) The written letter relating to the interview was delivered by the agency.</p> <p>C) Due to error in typing during the printing of the letters in agency, the appellant received a wrong letter date for the interview. Action against the agency for the following error is being taken.</p>

Grounds for the First Appeal:

Unsatisfactory information provided by the PIO

Order of the First Appellate Authority (FAA):

No order passed by the FAA.

Grounds for the Second Appeal:

Unsatisfactory information provided by the PIO and No order passed by the FAA.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Mr. Abhay Singh on video conference from NIC-Muzaffarnagar (UP);

Respondent: Ms. Raj Kumari Sabharwal, Asst. Director on behalf of Mr. B. D. Sharma, PIO & Additional Commissioner;

The PIO has given most of the information to the appellant but is directed to give the following clarificatory information to the appellant:

1. Query-2(a): A copy of the rule by which the appointment is made.
2. Query-2(c): The information is to be provided as per the query sought by the appellant.
3. Query 5 (a to c): The PIO will give specific information to the appellant. If any of the information is not available on the records this should be stated.

Decision:


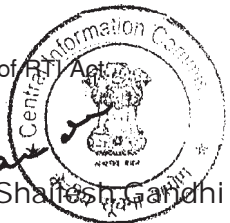
The Appeal is allowed.

The PIO is directed to give the information as directed above to the appellant before 15 October 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shafiqul Haque
Information Commissioner
17 September 2010

(In any correspondence on this decision, mention the complete decision number.)(YM)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/DS/C/2010/000209/SG/9678
Complaint No. CIC/DS/C/2010/000209/SG

Complainant : PES Installations Pvt. Ltd
13th KM Mile Stone
Opp. Maharaja Agrasen Hospital
Rohtak Road, Punjabi Bagh
New Delhi-110056

Respondent : Public Information Officer
O/o the Director General
Employees State Insurance Corporation
Panchdeep Bhawan, CIG Marg
New Delhi-110002

Facts arising from the Complaint:

In the present matter, a RTI application dated 14/07/2009 has been filed with the PIO, O/o the Director General, ESIC, New Delhi by the PES Installations Pvt. Ltd asking for certain information. Since no reply was received within the mandated time period of 30 days, the Complainant filed a Complaint under Section 18 of the RTI Act with the Commission.

However, on perusal of the RTI Application it has been observed that the RTI Application dated 14/07/2009 is not signed in the capacity of a Citizen of India. The Central Information Commission in its Full Bench *Decision No. CIC/AT/A/2007/00410* had dismissed the said Appeal on the grounds that the RTI Application had not been filed by a 'citizen'. The Commission held that-

'From this, it is clear that the signatories to the application and the appeal under the R.T.I. Act are two distinct individuals. It, therefore, leaves no doubt that it is the Association which is the applicant and the appellant as a distinct legal entity and the Association or its Secretary in its official designation cannot be treated as "citizen" under the law.'

In view of this, it is clear in the present matter that the authorized signatory of the RTI Application cannot be treated as a Citizen. Therefore, the RTI Application dated 14/07/2009 is not valid as per the provisions of the RTI Act, 2005.

Decision:

The Complaint is dismissed.

Notice of this decision be given free of cost to the parties.



Shailesh Gandhi
Information Commissioner
06 October 2010

(In any correspondence on this decision, mention the complete decision number.)(SP)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/002153/9809

Appeal No. CIC/SG/A/2010/002153

Relevant Facts emerging from the Appeal

Appellant : Dr. Manish Jain
A-34 Sudama Nagar
Indore
Madhya Pradesh

Respondent : Mr. B. D. Sharma
Public Information Officer & Additional Commissioner
E.S.I.C.
Panchdeep Bhawan, CIG Marg,
New Delhi-110002.

RTI application filed on : 30/03/2010

PIO replied : 20/04/2010

First appeal filed on : 29/04/2010

First Appellate Authority order : 25/05/2010

Second Appeal received on : 28/07/2010

Information sought

1. No. of applications received for each and every post along with their name and years of experience after their post graduation for the post of specialist GR-II (Jr. Scale) under against advertisement appeared in local newspaper in April 2008.
2. No. of posts of specialist GR-II (Jr. Scale) still vacant at ESIC MH ODC Nanda Nagar Indore (M.P) in various discipline subject wise.
3. Whole selection process minutes cum proceedings for the post of specialist GR-II (Jr. Scale) in ref: to the interview held from 29th June to 4th July declared for ESIC MH ODC Nanda Nagar Indore (M.P).

Reply of the Public Information Officer

1.

S.No.	Post Name	No. of applications received
1.	Psychiatrist	4
2.	Surgeon	7
3.	Gynecologists	15
4.	Orthopedic surgeon	6
5.	Anesthetist	7
6.	TB specialist	2
7.	Physician	11
8.	Skin specialist	3
9.	Bio chemistry	1

2. The information present in the office had been provided to the appellant. For the rest of the information PIO Karol Bagh has been directed to provide the same.

3. ESIC Adarsh hospital Nanda Nagar had been directed to provide the information directly to the appellant.

Grounds for the First Appeal:

- (1) On point 1 please provide me remaining details under RTI Act including name of applications and their years of experiences after their post graduation and your ref. no. of letter with date of correspondence with the ESIC Head Quarter New Delhi.
- (2) On point 2 please provide me remaining details under RTI Act. And ref. no of letter date of correspondence with the Esid MH ODC Nanda Nagar, Indore M.P.
- (3) On point 3 please do not provide me the whole selection process minutes cum proceeding and ref. no. of letter with date of correspondence with the ESIC Head Quarter New Delhi.

Order of the First Appellate Authority (FAA):

The information provided by the PIO is satisfactory.

Grounds for the Second Appeal:

Dissatisfied with the PIO's response as well as FAA's Order.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Dr. Manish Jain on video conference form NIC-Indore Studio;

Respondent: Mr. Raj Kanwal, Jt. Director RTI on behalf of Mr. B. D. Sharma, PIO & AC;

This matter has been decided earlier vide decision no. CIC/SG/A/2010/001778/8854 on 06/08/2010.

Decision:

The Appeal is infructuous.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailish Gandhi

Shailish Gandhi
Information Commissioner
18 October 2010

(For any further correspondence on this matter, please mention the file number quoted above.) (VK)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/002627/10283

Appeal No. CIC/SG/A/2010/002627

Relevant Facts emerging from the Appeal

Appellant : Mr. Manjeet Singh Gahlot
House No.152, V & PO,
Kakrola, New Delhi-110078.

Respondent : Mr. J. K. Chandel
CPIO & Dy. Director
E.S.I.C.
Regional Office, Employees State Insurance
Corporation, Rajendra Bhawan, Rajinendra
Place, New Delhi-110008.

RTI application filed on : 07/09/2009

PIO replied : 16/09/2009

First appeal filed on : Not enclosed

First Appellate Authority order : 19/04/2010

Second Appeal received on : 17/09/2010

Information Sought:

- 1) Copies of Noting of inquiry file
- 2) Copies of statements of all witnesses
- 3) Copy of complaint made
- 4) Copy of statement of offender
- 5) Reason in delay in conducting inquiry
- 6) Copy of Inquiry Report
- 7) Copy of defence brief
- 8) Reason not calling complainant during the course of inquiry.

Reply of the PIO:

“I am to inform you that the information sought vide para no.1,2,4,6 &7 of your RTI application is exempted from disclosure in terms of Section 8(1) (g) and (j) of Right to Information Act, 2005 and hence can not be provided under RTI Act.”

First Appeal:

Vague and misleading information received from the PIO.

Order of the FAA:

“I have circumspectly and minutely gone through the case papers and put up by the Appellant and has a the conclusion that:-

In point nos. 1,2,3,4,6 & 7 of the RTI application, the applicant has sought for the copies of noting of inquiry file, statement of witnesses, statement of offender, inquiry report and defence brief. CPIO has denied to provide these documents in terms of section (1).....and (j) of the RTI Act, 2005. The CPIO, Regional Office, Delhi has denied to provide these documents under section 8(1) (g) & (j) of the RTI, 2005, in compliance of Hqrs. Office letter no.A-14/14/RTI/2009-SCT dated 29.10.2009. I am in complete agreement with the decision of Hqrs. And therefore, I do not feel to interfere with the decision.

2. Copy of complaint made by Smt.Sonia Gahlot has been provided to the applicant, as sought by point no.3 of her application.
3. As regards, point nos. (5) & (8) of the application, the applicant has sought reasons for delay in conducting inquiry and not calling the complainant during the course of inquiry “Reasons”, for whatever purpose, the applicant has demanded certainly does not fall under the definition of “information” as enumerated in section 2(f) of the Act.

The citation of Section 20 by the applicant has been found to be unwarranted.

On the above notes, I find the present appeal without merits and the same is accordingly dismissed.

Ground of Second Appeal:

Unsatisfactory response received from the PIO and FAA.

Relevant Facts emerged during the hearing on 03 November 2010:

The following were present:

Appellant: Mr. Manjeet Singh Gahlot;

Respondent: Mr. J. K. Chandel, CPIO & Dy. Director; Mr. A. K. Verma, FAA & Additional Commissioner; Mr. B. D. Sharma, AC& CPIO, ESIC(Head Quarter), CIG Marg, New Delhi;

“The appellant has sought various informations in the case of the sexual harassment complaint which was made in February 2008 by his wife. The respondents have stated that they are claiming exemption under Section 8(1) (g) & (j), since they claim that the statements of various witnesses if revealed could be an invasion on their privacy and could endanger life and physical safety of the witnesses. The appellant states that he is asking for information on behalf of his wife and would be satisfied if he was given the copies of the inquiry report and the action taken based on the inquiry reports. The Commission will after perusing the file notings and the statements of the witnesses decide whether the PIO has validly claimed the exemptions under Section 8(1)(g) & (j).

The Commission directs the appellant to give a letter from his wife stating that she has not objection to his being provided the copies of the inquiry report and the action taken based on those report before 09 November 2010. The Commission directs the PIO to give the inquiry reports and action taken against the accused based on these inquiry reports to the appellant before 20 November 2010.”

Interim Decision Announced on 03 November 2010:

“The Commission directs the PIO to give the inquiry reports and action taken against the accused based on these inquiry reports to the appellant before 20 November 2010.

The Commission also directs the PIO to bring the file notings and the statements of witnesses to the Commission on 03 December 2010 at 10.00AM. The respondent and the appellant will both come for the hearing on 03/12/2010 and the Commission will taken a decision after perusing the papers whether the exemptions claimed by the PIO are valid.”

Relevant Facts emerging during the Hearing on 03 December 2010:

The following were present:

Appellant: Mr. Manjeet Singh Gahlot;

Respondent: Mr. J. K. Chandel, CPIO & Dy. Director; Mr. A. K. Verma, FAA & Additional Commissioner; Mr. Raj Kanwal, Joint Director on behalf of Mr. B. D. Sharma, AC& CPIO, ESIC (Head Quarter), CIG Marg, New Delhi; Mr. R. Keshav Das, Joint Director, Head Quarter;

The Respondents have acknowledged that they have received a letter from the Mrs. Sonia Gahlot (the wife of the Appellant) stating that she has no objection to her husband who is the Appellant in the present case receiving all the information. The Respondents have given the information as per the order of the Commission to the appellant except the statements of the witnesses and the file notings. The Respondents have shown the Commission the statements of the witnesses as well as the file notings. The Respondents claim that as the statement show some witnesses have claimed that the Appellant had spoken to loudly and some have said that the Appellant talk to them in a threatening manner. Based on this the Respondents claim that if the witnesses statements are given to the Appellant it could lead to some harm to some of the witnesses and hence exemption is claimed under Section 8(1)(g) of the RTI Act. The Respondents also showed the file notings and claimed that they felt these should not be given. However, they have not been able to make the convincing case to deny disclosing the file notings. RTI is a fundamental right of citizens and unless a very clear case is made out showing that the exemptions apply information must be provided. Disclosure of information is the norm under RTI Act and denial is the exception.

The Appellant states that he is a Government Servant and he is trying to use the means available to him in law to get information to correct what he believes is a wrong acquittal of the person charged with sexual harassment.

The Commission has considered the objections of the Respondents to releasing the statements of the witnesses, the submission of the Appellant and the statements of the witnesses which were shown to it by the Respondents. On a careful consideration of all the circumstances the Commission comes to the conclusion that the threat perception claimed by the Respondents does not appear to be serious and credible. In view of this the Commission comes to a conclusion that the statements of the witnesses as well as file notings must be released to the Appellant. However, the Commission recognizes that the witnesses who are third parties may have some objections in releasing their statements. In view of this the Commission directs the PIO to write to all the witnesses whose witnesses has been recorded and asked them if they have any objections in release of there statements to the Appellant. In case any of them objects in writing before 15 December 2010 their statements will not be disclosed to the Appellant.

Decision:

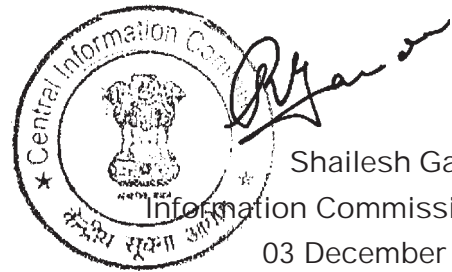
The Appeal is allowed.

The PIO is directed to give the attested copies of the statements of witnesses if no objection is raised by them. The PIO is also directed to give file notings to the Appellant. All the information will be given to the Appellant before 20 December 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailesh Gandhi
Information Commissioner
03 December 2010

(In any correspondence on this decision, mention the complete decision number.)(AK)

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2010/002850/10332

Appeal No. CIC/SG/A/2010/002850

Relevant Facts emerging from the Appeal

Appellant : Mr. Sheikh Mustaq
Vice President
Rashtriya General Mazdoor Union,
Flat No.20-A, Boulevard Road,
Opp.St.Stephen's Hospital
Delhi-110054.

Respondent : Mr. Raj Kanwal
Public Information Officer & Joint Director
Employees' State Insurance Corporation
Panchdeep Bhawan, CIG Road,
New Delhi-110002.

RTI application filed on : 30/06/2010

PIO replied : 10/08/2010

First appeal filed on : 12/08/2010

First Appellate Authority order : 08/09/2010

Second Appeal received on : 07/10/2010

S.No.	Information sought	Reply of PIO
1.	Details of the action taken on the complaint dated 19.05.10 made by RGMU.	The complaint has been sent to Regional Director, Regional Office, DDA Shopping cum-Office complex, Rajendra Place, New Delhi-8 on 03.06.10 for disposal and further necessary action.

S.No.	Information sought	Reply of PIO
2.	Details showing the movement of the complaint dated 19.05.10 to various officials dealing with it from the date of its-filling till date alongwith all the notings, remarks, reports, findings, orders documents etc. forming part of the proceedings on the said complaint.	Copies of the letter dated 03.06.10 & noting of the file no. C-12/18/11/49/ 2010 PG of Hqrs. Office are enclosed for ready reference.

First Appeal:

Unsatisfactory response received from the PIO.

Order of the FAA:

“I have considered the say of the appellant and the information provided by the CPIO. I find that complete information has been provided to the appellant by the CPIO Hqrs. vide letter no.C-12/18/11/49/ 2010-PG dated 10.08.10 (copy enclosed). There, has, however been delay of a few days in providing information to the appellant as the deemed CPIO was occupied in other pressing works.”

Ground of the Second Appeal:

Unsatisfactory response received from the PIO.

Relevant Facts emerging during Hearing:

The following were present

Appellant : Absent;

Respondent : Ms. Raj Kumari Sabharwal, Assistant Director on behalf of Mr. Raj Kanwal, Public Information Officer & Joint Director; Mr. Sanjay Kumar Rana, PIO & Assistant Director, C149, Okhala, Phase-I, New Delhi

The Respondent states that he has provided the information to the Appellant on 13/10/2010 after the order of the FAA. The Commission notes that this only gives the final outcome of the complaint but does not give the copies of the actions taken by the Public Authority and the replies obtained by it. The inquiry report has also not been provided to the Appellant.

Decision:

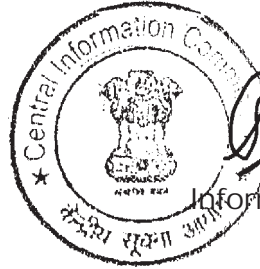
The Appeal is allowed.

The PIO Mr. Sanjay Kumar Rana is directed to give the actions taken by the Public Authority and the replies obtained by it alongwith the inquiry report to the Appellant before 20 December 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailish Gandhi
Shailish Gandhi
Information Commissioner
07 December 2010

(In any correspondence on this decision, mention the complete decision number.)(AK)



EMPLOYEES' STATE INSURANCE CORPORATION
Panchdeep Bhawan, C.I.G. Marg, New Delhi

No. A-12/12/2/2008 Exam

Dated : 24-08-2011

To

All Dean/Medical Superintendent/SSMCs/SMCs/D(M)D
Addl. Commissioner/Regional Directors/Jt. Dir-I/C
ESIC PGIMSRs/ESIC Hospitals/Regional Offices/S.R.O.s

Sub.:- Suo-moto disclosure under Section 4 of the RTI Act, 2005

Sir/Madam,

In reference to the orders dated 12.08.2011 of the Information Commissioner, Central Information Commissioner, New Delhi, it has been directed to make available the following information on the website of the ESI Corporation from 01.05.2011 onwards.

1. Details of walk-in-interview for various appointments/fields.
2. Their eligibility and criteria for selections.
3. The marks allocated to each candidate whose interview was taken and the break-up of the marks.
4. The final list of candidates selected after each interview.
5. The waiting list, if any.

It is requested to comply with the orders of the Central Information Commission latest by 05.09.2011 and the compliance report may be sent to the undersigned through e-mail at id-rectthq@esic.in.

Further, it may be ensured that the above orders of the Central Information Commission are compiled in letter and spirit in future also.

Yours Faithfully,

(G.S. GIRI)

JT. DIRECTOR (RECTT.)
For DIRECTOR GENERAL

Copy to :-

1. Additional Commissioner (Systems) with the request to kindly arrange for urgent updation of the information received from various offices of ESIC to ensure timely compliance to the orders of the Central Information Commission.
2. Director (RTI), RTI Cell, Hqrs. Office for information.
3. Sh. Shailesh Gandhi, Information Commissioner, Central Information Commission, Room No. 415, 4th Floor, Block-IV, Old JNU Campus, New Delhi-110066 w.r.t. order no ICSG/2011/41(SEC-4) dated 12th August, 2011.

For DIRECTOR GENERAL

शैलेश गांधी
सूचना आयुक्त
shailesh gandhi
Information Commissioner



केन्द्रीय सूचना आयोग
रूम नं. 415, चौथी मंजिल, ब्लॉक-IV
पुराना जे. एन. यू. कैम्पस, नई दिल्ली-110067
CENTRAL INFORMATION COMMISSION
ROOM NO. 415, 4TH FLOOR,
BLOCK-IV, OLD J.N.U. CAMPUS
NEW DELHI-110066

Order No. ICSG/2011/41 (SEC-4)
12th August 2011

ORDER

The Director General,
Employees State Insurance Corporation,
Ministry of Labour & Employment, Govt. of India
Panchdeep Bhawan, Comrade Inderjeet Gupta (CIG) Marg,
New Delhi - 110 002

Suo moto disclosure under Section 4 of the RTI Act, 2005.

The Commission has perused the website of the department and appreciates the progress made in publishing various kinds of information in public domain. As per Section 4 of the RTI Act, public authorities are under an obligation to make certain *suo moto* disclosures. Disclosures in accordance with the said Section are crucial to ensure transparency and accountability in institutions. This would reduce the load of RTI Applications being filed with each institution as information would be freely available to citizens and they would not have to apply for it. Citizens have been demanding that certain information is essential to them and should be available proactively on the website of the department.

The Commission has received a request from Dr. Ashish Prasad stating that the details and results of walk-in interviews are not available in public domain, and that these should be published proactively on the website of the Corporation under Section 4 of the RTI Act. The Commission agrees that this matter warrants larger public interest.

The Commission feels that information such as the results, merit lists, final selection, joining instructions etcetera of such walk-in interviews ought to be available on the website of the Respondent Public Authority, as a large number of aspirants would understandably want to know their performance and outcome of the interview for which they have appeared. If such information has to be accessed through a request for information under the RTI Act 2005, then the load on the CPIO would be enormous.

It appears from the website of the Corporation that certain disclosures have not been made till date regarding the Walk-in-interviews for various posts in all the hospitals of the Corporation. In

view of the above the commission by virtue of the powers vested in it under section 19 (8) (a) of the RTI Act, 2005, hereby directs the Corporation to fulfill its obligations under the RTI Act by *specifically* making the following information available on its website from 1st May 2011 onwards:

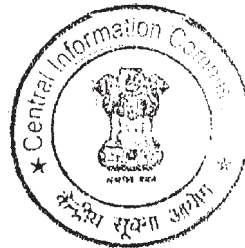
1. Details of walk-in-interview for various appointments/fields.
2. Their eligibility and criteria for selections.
3. The marks allocated to each candidate whose interview was taken and the break up of the marks.
4. The final list of candidates selected after each interview.
5. The waiting list, if any.

Necessary standing instructions shall be issued in this regard to all concerned officers.

This information should be made available on the website of the Corporation before 15th September 2011. A compliance report of the above orders shall be sent to rtimonitoring@gmail.com by the 20th September 2011. The Report must include :

1. The Details of standing instructions issued.
2. Measures put in place to ensure regular updating of the information uploaded on the website.

The Commission is acting under the powers vested in it under section 19 (8) (a) of the RTI Act, 2005. If officers do not comply with these directions the Commission would be constrained to use its punitive powers under section 20 (1) and (2) of the RTI Act.



Shailesh Gandhi
Information Commissioner
12th August 2011

Copy to :

Dr. Ashish Prasad
A-311, Meera Bagh,
New Delhi-110087

No. INF/1/2007-RTI & L CELL
Government of India
Ministry of Labour & Employment
(RTI & Legal Cell)

Shram Shakti Bhawan, Rafi Marg
New Delhi, the 25th August, 2011

To

Heads of Attached and Subordinate Offices, Autonomous bodies under the Ministry of Labour & Employment (As per list attached)

Subject : Implementation of Hon'ble CIC's Decision No. CIC/SG/C/2011/000178/13886 dated 5th August, 2011-reg.

Sir,

Please find enclosed a copy of Decision No. CIC/SG/C/2011/000178/13889 dated 5th August 2011 of Central Information Commission in the matter of Shri Manish Sharma vs. The Secretary, Ministry of Labour & Employment regarding the non-publishing of RTI Manuals which have to be published in pursuance of their obligations under section 4(1) (b) of the Act.

2. The Commission has invited the attention on their D.O. No. ICSG/2011/3(Sec-4) dated 7th January 2011 by which the Commission ordered as follows :

"In view of the above you are hereby directed to ensure that the main secretariat, attached offices, subordinate offices, arbitration bodies, adjudicating bodies, autonomous organizations and all other non-administrative and administrative units and offices of the Ministry, fulfil their obligations under section (4) of the RTI Act by the 20th February 2011. The manuals must be available as hardcopies in the said offices and on their respective website. You are further directed to send a consolidated report of the compliance of the said directions by the 25th February 2011, the report may be send to rtimonitoring@gmail.com, and must include :-

1. The list of Departments directed to update or upload the information in accordance with Section (4), including the Name and contact information of one point person who may be contacted with regard to Section (4) issues with the Commission.
2. Measures taken to fulfil disclosure obligations under Section (4) including making information available on official websites as well as hard copies of the information at the offices of the Departments.

3. Measures put in place to ensure regular updating of the information uploaded on the websites and made available at the offices".
4. It is mentioned that the said D.O. letter was forwarded to you vide our letter of even number dated 19.01.2011 and its subsequent reminder dated 26.04.2011 for necessary action at your end. However, CIC has observed that no compliance report has been received as per the Commission's directions till date.
5. In view of the aforesaid and from the facts before it, the commission by virtue of the powers vested in it under section 19(8) (a) of the RTI Act has directed the following :
 - (1) The main secretariat, attached offices, subordinate offices, arbitration bodies, adjudicating bodies, autonomous organizations and all other non-administrative and administrative units and offices of the Ministry, fulfil their obligations under section (4) of the RTI Act by the 20th February 2011. The manuals must be available as hardcopies in the said offices and on their respective websites.
 - (2) Manuals (xi) should be itemized and the report must be for the previous 2 years and there should also be a report on current budget estimates as per manual XI.
 - (3) A sign board of appropriate dimension shall be installed, mentioning the Name(s), designation(s), contact details including the office address/room number, availability hours and telephone numbers of the Central Public Information Officer(s), Central Assistant Public Information Officer(s) and First Appellate Authority, as the case may be, who have been notified under the RTI Act 2005 (in case of a change of CPIO or Appellate Authority, the sign board will be updated within ten days of the said change). Information regarding the requisite fees to be paid under various provisions of the RTI Act 2005, modes of payment and the office where such fee will be accepted. Information regarding handbook/ manuals published under Section 4(1) (b) of the act; their location and time when they can be accessed should be also mentioned on the board. The exact link/URL to the page no on the website of the concerned department where the information handbook can be viewed also be mentioned. No acronym/ abbreviation should be used. This information shall be inscribed both in English and Hindi/local language, and shall be installed at a location having maximum public view. This will be maintained by the head of the public authority/head of department as the case may be, or the officers so directed by them in writing, so long as the RTI act is in force. This should be done by the 30th September 2011, shall be displayed at all offices mentioned in point 1 above.

- (4) The RTI link on the website should read as "Right to Information".
- (5) The said manuals shall be updated regularly.
6. It is therefore requested to take necessary action with respect to the directions of the CIC and send a compliance report to the CIC as well as the Ministry before 25/09/2011.



(A.C. Pandey)

Joint Secretary to the Government of India

Copy to : DGLW with a request for necessary action in the matter with respect to offices under his jurisdiction.

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/C/2011/000178/13886

Complaint No. CIC/SG/C/2011/000178

Complainant : Mr. Manish Sharma
C/o Dr. Deepak Sharma,
Genome Mapping Laboratory,
Avian Medicine Block,
CARI, Izzatnagar, Bareilly,
Uttar Pradesh- 243122

Respondent : The Secretary,
Ministry of Labour and Employment,
Government of India,
Shram Shakti Bhawan,
New Delhi – 110 011

Facts arising from the Complaint:

Mr. Manish Sharma has filed the present complaint under section 18 of the Right to Information Act (hereinafter 'the Act'), with the Commission, stating that Respondent, which is a public authority, has not published its manuals which have to be published in pursuance of their obligations under section 4 (1) (b) of the Act.

The Commission has perused the websites of numerous departments falling under the Respondent public authority and has found that the information being displayed suo moto i.e. the manuals, are either not available or have not been updated.

The Commission vide D.O.No. ICSG/2011/3(Sec-4) dated 7th January 2011 had issued directions to the Respondent regarding implementation of section 4 of the RTI Act, 2005. The Commission ordered as follows:

"In view of the above you are hereby directed to ensure that the main secretariat, attached offices, subordinate offices, arbitration bodies, adjudicating bodies, autonomous organizations and all other non-administrative and administrative units and offices of the Ministry, fulfill their obligations under section (4) of the RTI act by the 20th of February 2011. The manuals must be available as hardcopies in the said

offices and on their respective websites. You are further directed to send a consolidated report of the compliance of the said directions by the 25th February 2011, the report may be sent to rtimonitoring@gmail.com, and must include :-

1. The list of Departments directed to update or upload the information in accordance with Section (4), including the Name and contact information of one point person who may be contacted with regard to Section (4) issues with the Commission.
2. Measures taken to fulfill disclosure obligations under Section (4) including making information available on official websites as well as hard copies of the information at the offices of the Departments.
3. Measures put in place to ensure regular updating of the information uploaded on the websites and made available at the offices.”

However, it is observed that no compliance report has been received as per the Commission's directions till date. The only communication received, dated July 1, 2011 pertains to RTI manuals under Section 4 related to the Labour Bureau. This reflects gross neglect towards the Commission's orders.

Further on perusal of the RTI manuals on the website of Ministry of Labour & Employment it is observed that the information under Sec 4(1) (b) (iv) and (vii) do not contain appropriate information.

- 1) On perusal of the website of Directorate General of Employment and Training it is noted that the information disclosed under section 4 of the Act is only partial and unsatisfactory. The links regarding Section 4 (1) (b) (iv), (v), (vi), (vii), (viii), (xii), (xiii), (xiv) and (xv) are not functional. Furthermore, even where the link has been provided as under section 4(1) (b) (xi) the information provided is insufficient.
- 2) On perusal of the website of the Regional Directorate of Apprenticeship Training, it is observed that no Right to Information link has been provided. There are 6 Regional Directorate of Apprenticeship Training and none of them has a RTI information link or the manuals mandated under the RTI Act, 2005.

This is non-compliance of the Right to Information Act and the Commission's order dated 7th January 2011 and reflects the lackadaisical approach of the said public authority.

The Right to Information is a fundamental right of the citizens which has been codified by the RTI act, No. 22 of 2005. The act envisions that all citizens shall receive information primarily through suo moto disclosures by various public authorities as prescribed by section (4) of the act. It further envisages that citizens would be required to specifically ask for information under section

(6) only in a few cases. However, when Public Authorities do not fulfill their obligations under section (4), citizens have no way but to seek information under section (6), which in turn becomes a constraint for the citizens as well as the Government. Obligations under section (4) were to be fulfilled by 12th October 2005. It is disheartening to note that the said public authority has not complied with the provisions of the Right to Information Act even after five years of its coming into effect, thereby expressing their refusal to abide by the law so enacted. Disclosures in accordance with Section (4) of the RTI Act are crucial to ensure transparency and accountability in public authorities. This would reduce the load of RTI Applications being filed with each public authority as information would be freely available to citizens and they would not have to apply for it.

Decision:

The Complaint is allowed.

In view of the aforesaid and from the facts before it, the Commission by virtue of the powers vested in it under section 19 (8) (a) of the RTI Act, hereby directs the following:-

1. The main secretariat, attached offices, subordinate offices, arbitration bodies, adjudicating bodies, autonomous organizations and all other non-administrative and administrative units and offices of the Ministry, shall fulfill their obligations under section (4) of the RTI Act by publishing the manuals mandated by Section 4 (1)(b). The manuals must be available as hardcopies in the said offices and on their respective websites.
2. Manual (xi) should be itemized and the report must be for the previous 2 years and there should also be a report on current budget estimates as per manual XI.
3. A sign board of appropriate dimension shall be installed, mentioning the Name(s), designation(s), contact details including the office address/room number, availability hours and telephone numbers of the Central Public Information Officer(s), Central Assistant Public Information Officer(s) and First Appellate Authority, as the case may be, who have been notified under the RTI act 2005 (in case of a change of CPIO or Appellate Authority, the sign board will be updated within ten days of the said change.) Information regarding the requisite fees to be paid under various provisions of the RTI Act 2005, modes of payment and the office where such fee will be accepted. Information regarding Information Handbook/manuals published under section 4 (1) (b) of the act; their location and time when they can be accessed should be also mentioned on the board. The exact link/URL to the page on the website of the concerned department where the information handbook can be viewed will also be mentioned. No acronym/abbreviation should be used. This information shall be inscribed both in English and Hindi/local language, and shall be installed at a location having maximum

public view. This will be maintained by the head of the public authority/ head of department as the case may be, or the officers so directed by them in writing, so long as the RTI act is in force. This should be done by the 30th September 2011, shall be displayed at all offices mentioned in point 1 above.

4. The RTI link on the website should read as "Right to Information".
5. The said manuals shall be updated regularly.

Necessary standing instructions shall be issued in this regard to all concerned officers. This information should be made available on the website of the departments before 30th September 2011. Each department shall send a report of compliance of the above directions to this Commission by the 5th of October 2011. The compliance report may be sent to rtimonitoring@gmail.com, with a copy to the Complainant. The Report must include:

1. The details of standing instructions issued.
2. Measures put in place to ensure regular updating of the information uploaded on the website.
3. The exact web link where the information is available.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this order will be provided free of cost as per section 7(6) of RTI Act.




Shailesh Gandhi
Information Commissioner
5th August 2011

(In any correspondence on this decision, mention the complete decision number.)(RJ/ANP)



EMPLOYEES' STATE INSURANCE CORPORATION

Panchdeep Bhawan, C.I.G. Marg, New Delhi

ISO 9001:2008 Certified

No. Z-12/14/ID No 1275/DrMJ/2010-RTI

Dated : 16.08.2010

To

All Regional Directors/Jt. Directors I/cs.
SSMCs/SMCs/MSs/Directors/D(M) Delhi/NOIDA
ESI Hospital/Modal Hospital

Sub.: - Compliance of provisions of RTI Act, 2005

Sir/Madam,

During proceedings for hearing in an appeal case filed by the appellant before the Central Information Commission, the Hon'ble Commission observed that denial of information by CPIO/Appellate Authority under Section 8(1) of RTI Act, 2005 without recording/giving reasons justifying the relevant exemption clause is not correct and providing information at the behest of CIC would not lessen the guilt of CPIO/deemed CPIO.

In other appeals heard by the Commission, the Information Commissioner, Shri Shailesh Gandhi has decided that the CPIO shall provide information under RTI Act, 2005 relating to :

- (i) copies of complete APARs;
- (ii) minutes cum proceedings of DPCs;
- (iii) selection process of all examinations conducted by the Public Authority;
- (iv) marks obtained by candidate in the written exam, skill test and interview. (Address of the candidate may be hidden, if the CPIO so decides, after recording his reasons).
- (v) name, Roll No., category, marks earned in written exam, skill test and interview by all qualified/and non-qualified candidates;
- (vi) cut off marks for various categories of candidates in written exam, skill test and interview.
- (vii) minutes cum proceedings of interview board;
- (viii) Evaluation Sheet/s of written Exam and/or skill test.
- (ix) copies of recruitment regulations and relaxation relating to age, experience, if any, for the ensuing examination;

- (x) the status of occupational disease cases referred to special medical board constituted in ESI Hospital cum Occupational Disease Centre.

The Information Commissioner has also suggested that information relating to conduct of examinations/interviews by ESIC and result thereof may be posted on ESIC's website showing as much information as possible including name, roll number, marks obtained in written exam, skill test, interview, cut off marks for each category of candidates etc. The information relating to important indicators like suspected occupational diseases and such other information be centrally collected and updated every month.

The above guidelines/decisions of the CIC may be kept in mind by all concerned while disposing of requests for information under RTI Act. This issues with the approval of Director (CPIO) and Insurance Commissioner (Appellate Authority) Hqrs.

Encl.: As Above

Yours faithfully



(RAJ KANWAL)

JOINT DIRECTOR (RTI), HQRS.

Copy to :

PS to DG / FC / MC / IC / AC (P&A) for information

JD (Systems) Hqrs with the request to upload it on the website.



EMPLOYEES' STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN : CIG ROAD : NEW DELHI

No. : Z-12/14/1/2008-RTI

Dated : 17/09/08

To

6. All R.D.s
7. All J.D. I/c of SROs/Divisional Offices
8. All Medical Superintendents of ESI/ESI Model Hospitals
9. Director (Medical) Delhi, Noida
10. All CPIOs

Sub.:- Information sought under RTI Act, 2005 - reg.

Sir/Madam,

Of late, it has been observed that applicants have been seeking information which relates to personal information the disclosure of which does not serve any public interest. In order to check the misuse of the RTI Act, Insurance Commissioner has desired that proper care may be taken while dealing with such cases and provisions of Section 8 1(j) of RTI Act may be kept in mind. Section 8 1(j) of the Right to Information Act, 2005, provides that the Public Authorities are under no obligation to give any citizen information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information, PROVIDED that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

Yours faithfully

(RAJ KANWAL)

JOINT DIRECTOR (RTI), HQRS.



EMPLOYEES' STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN : CIG ROAD : NEW DELHI - 2

No. : Z-12/14/ID No. 1456/NKT/2010-RTI

Dated : 25.10.2010

CIRCULAR

All branches / sections in Hqrs. may please note that while conducting hearing on the complaints / appeals filed before it by citizens the Central Information Commission has been stressing that in case the complaint denies receipt of information, the onus to prove that the information desired by the requestor was sent to him is on the CPIO / deemed CPIO of the public authority. Hence to avoid any unintended delay in dispatch of information it is decided that :-

- (i) All RTI replies shall be marked 'RTI reply' on the upper right portion of the communication and also on the envelope containing the information. The address of the requester shall be neatly written on the envelope.
- (ii) All RTI replies shall be sent by speed post and the post office money receipt shall be affixed on dispatch register of R&I Branch as proof of having dispatched the information.

All concerned are requested to ensure compliance of the above decision. Further, all requests for information shall be processed promptly and information provided within 30 days of receipt of request in the office.

It is also brought to the notice of all concerned that every official who handles the request for information is deemed CPIO and penalty if imposed for any delay in providing information will have to be shared by him/her as provisions of RTI Act, 2005.

This issues with the approval of CPIO and Appellate Authority (Hqrs.)

(RAJKUMAR SABHARWAL)
ASSISTANT DIRECTOR (RTI)
For ADDL. COMM./CPIO

Copy to :- All Branch Officers / Branches of ESIC (Hqrs.) Office.
PS to DG / FC / MC / IC / AC (P & A) for information.
Hindi version will follow.

For ADDL. COMM./CPIO



EMPLOYEES' STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, CIG ROAD, NEW DELHI-2
(AN ISO 9001-2000 QMS CERTIFIED ORGANIZATION)
e-mail : id-rti@esic.nic.in

No. Z-12/14/ID No. 1450/B.N.S./10-RTI

Dated : 07.03.2011

To

All Officers at Headquarters
All Branches at Headquarters.
ESI Corporation,
New Delhi

Sub: Providing information under RTI Act, 2005

Madam/Sir,

It is informed that in a recent decision in a complaint case, the CIC has decided that the CPIO shall interpret various provisions of RTI Act and furnish information to the applicants within the time limit prescribed under the Act. Accordingly, the D.G. has desired that all offices in ESIC shall follow the guidelines of CIC. In this connection, it may please be noted that Section 5 (4 & 5) of RTI Act enjoins upon any officer (custodian of information) whose assistance has been sought under Section 5(4) by the CPIO to furnish desired information so that the same could be provided to the citizen within the time limit. Section 5 (4 & 5) of RTI Act, 2005 are quoted below :-

Section 5(4) - The Central Public Information Officer or State Public Information Officer, as the case may be, may seek the assistance of any other officer as he or she considers it necessary for the proper discharge of his or her duties.

Section 5(5) - Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be.

To avoid delay, it is requested that, henceforth, information/reply to the points pertaining to their division duly approved by the Competent Authority shall be sent by the concerned officer (deemed CPIO) to the CPIO before expiry of 30 days for onward transmission to the requestor. The deemed CPIO shall be held responsible for any delay in providing the information. If the delay occurs at his/her level and/or for any contravention of the provisions of RTI Act. The deemed

CPIO may, however, seek the advice/opinion of CPIO if he so desires at any time on any matter concerning RTI. The interpretation of CPIO shall be final.

Yours faithfully,



(RAJKUMAR SABHARWAL)
ASSISTANT DIRECTOR (RTI)

- Copy to :-
1. All Regional Directors/Directors/Jt. Director I/cs of Regional/Sub Regional/Divisional Offices, All SSMCs/SMCs/MSs of E.S.I. Hospitals/Model Hospitals, D(M) Noida/Delhi for information. Suitable instructions may be issued to the offices under their control streamlining the procedure for providing timely information as per provisions of RTI Act.
 2. P.S. to AC (P&A), Hqrs. with reference to note No. D-12/16/5/08-Estt. VI dt. 24.1.2011.
 3. JD (Systems), Hqrs. with the request to upload the circular on ESIC website.



ASSISTANT DIRECTOR (RTI)

Service details not personal info: CIC

TANU SHARMA

NEW DELHI, FEBRUARY 6

IN an important decision, the Central Information Commission has ruled that service details of government servants is not "personal" information.

In other words, public servants cannot seek exemption from giving details of their service under the Right To Information Act.

Hearing an appeal against Chittaranjan Locomotive Works in West Bengal on February 3, Information Commissioner Annapurna Dixit directed that public servants cannot claim exemption under Section 8(1) (j) of the RTI Act.

The clause prevents information considered as personal out of bounds for disclosure.

In May last year, the RTI applicant, one Anant Kumar, had asked for a photocopy of the entire service book of the chief law assistant (CLA) of Chittaranjan Locomotive.

Besides wanting to know whether the post of CLA had a fixed tenure, he asked for rules and policies regarding the appointment, transfer, posting and promotion of this post.

In June 2010, the Public Information Officer refused to provide service details of the CLA, arguing that the service details is third party information and cannot be provided under the Act.

The CPIO and the appellate authority later upheld the PIO's decision.

The applicant moved the CIC, where it was ruled that service details of public servants available in the service book is not confidential and cannot be exempted under the Act.

Dixit ordered Chittaranjan Locomotive to provide a copy of the service book to the appellant (Kumar).

She, however, said that any information that is considered personal under Section 10(1) of the RTI Act will be exempt from disclosure.

The information will have to be provided by March 10, the CIC said.

Hiring at top posts: CIC wants know reasons

RTI AT WORK DoPT had refused to disclose reasons citing impingement on individual privacy

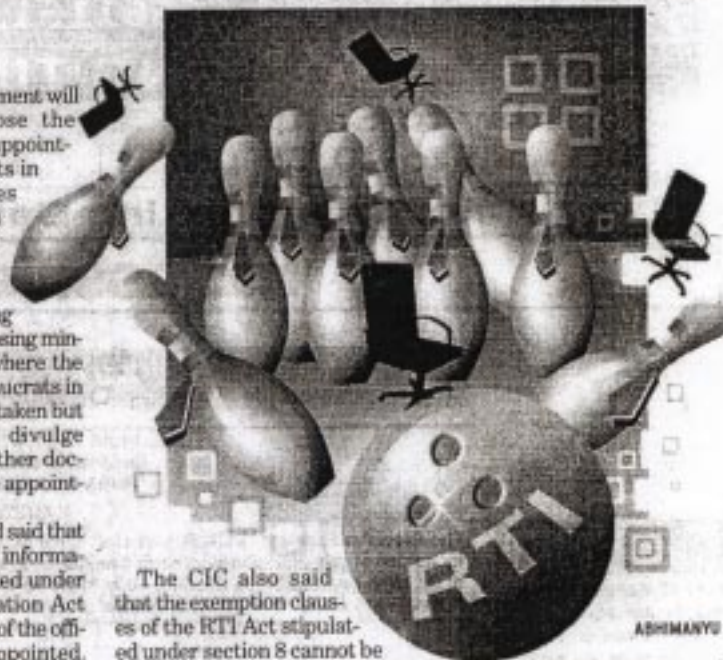
Chetan Chauhan
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NEW DELHI: The government will now have to disclose the specific reasons for appointing senior bureaucrats in different ministries and departments and the basis of reaching such a conclusion.

The Department of Personnel and Training (DoPT) has been disclosing minutes of the meeting where the decision to post bureaucrats in senior positions were taken but had refused to divulge the file notings and other documents related to the appointment.

The department had said that file notings and other information cannot be provided under the Right To Information Act as it impinged privacy of the official, who has been appointed. The Central Information Commission, however, overruled the view saying once the Union Cabinet decides on appointment of a particular person, the process is complete and the information has to be provided.

The DoPT had cited section 8 (1) (i) of the RTI Act to deny information on appointments. "The clause has been wrongly applied," chief information commissioner Satyanandra Mishra said, while disposing off an appeal filed by RTI activist Subhash Chandra Aggarwal. Mishra was DoPT secretary, the department which denied information, before joining the CIC. He sought information on sudden transfer of officials in law ministry but the DoPT refused to give him the file notings giving reasons for their transfer.



ASHIMANYU

The CIC also said that the exemption clauses of the RTI Act stipulated under section 8 cannot be made applicable for denying information related to any appointment once the process is complete. In this particular case the process was complete as the Union Cabinet had decided to appoint the officials in the new departments.

The file notings and other documents related to appointment in the government are key as each official gets validation on honesty from the Chief Vigilance Commission, which is reconfirmed by the intelligence agencies. Also, the entire background of the official is checked by different law enforcing agencies before the person is appointed as a secretary in government of India or any other regulatory body.

The same process was supposedly followed in case of

appointment of Chief Vigilance Commissioner PJ Thomas, whose appointment was quashed by the SC.

In that case also, the government provided minutes of the meeting where a decision to appoint him was taken but refused to provide background note on why he should be appointed instead of two others officials in the panel.

Now, the CIC has made the law clear by saying that documents must be provided under RTI to bring in transparency in appointments at the senior level in the government.

In the past, the CIC has asked government to provide information regarding even the information commissioners, which had raised several eyebrows over the appointment process.

Citizens may get RTI info for PPP projects

PROPOSAL Pvt players have been reluctant to provide info though they have received land or funds from govt

Chetan Chauhan

■ chetan@hindustantimes.com

NEW DELHI: The private players in the government's public private partnership (PPP) programmes may soon have to furnish information under the Right to Information Act.

The Central Information Commission (CIC) has asked the Planning Commission to make a suitable RTI clause in agreements being signed with the private partners under the government's PPP schemes.

"We feel, once such conditions are built into the PPP agreements and the private parties willingly subject themselves to these conditions, a lot of confusion in this regard will go and the citizens will have the access to vital information regarding projects which affect their lives," said chief information commissioner Satyendra Mishra, in a letter to Planning Commission deputy chairperson Montek Singh Ahluwalia.

We feel a lot of confusion in this regard will go and citizens will have the access to vital information regarding projects which affect their lives

SATYENDRA MISHRA, CIC

The RTI Act provides that private parties, which are substantially financed by the government will have to appoint public authorities to provide information to citizens under the law.

However, the private parties have been reluctant claiming that they are not covered under the RTI law even through they have received land or funds from the government. The CIC to its astonishment has found that even the ministries have not been willing to provide information regarding the PPP projects claiming that the private bodies were outside the

government control.

To end the confusion, the CIC has suggested that every PPP project including draft agreement should be published for inviting public comments and objections before finalising them. The CIC had suggested two options to implement the RTI law for PPP projects.

The PPP agreement should include a necessary condition that the Special Purpose Vehicle or any other entity which comes into being as a result of the PPP would be a public authority within the meaning of section 2 (h) of the RTI Act.

Second, the Central Public Information Officer of the ministry or department undertaking a PPP project will be equally responsible for providing the information sought.

The move, the information panel believes, will improve the accountability of such entities to both the government and public at large.