No. 28034/1-579/2014-Estt.(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training

North Block, New Delhi.
Dated November 11, 2014

Shri Mukesh Kumar Verma
249-B, Kasturi Bhawan
Main Road, Pratap Market
New Market, Near Heena Furniture
Rawat Bhata, Via – Kota, Pin – 323307.(Rajasthan)

Subject: Information sought under the RTI Act, 2005.

Sir,

Reference is invited to your online RTI Application (Regd. No. DOP&T/R/2014/64524) dated 28.10.2014.

2. It is noted that you have sought information regarding rules and provisions for the employee who commits Misconduct after ceasing his status of Government employee. There is no specific material information available to provide. Estt.A-III Desk is concerned with CCS(Conduct) Rules, 1964 and CCS(CCA) Rules, 1965. The detailed rules are available in public domain at www.persmin.nic.in under Acts & Rules. A copy of your application is being forwarded to Department of Pension & Pensioners Welfare and Department of Public Enterprises for sending you the information, as may be available.

3. Please note that as per the Right to Information Act, 2005, CPIO is required to provide information as available with him in the form of O.M., Notifications, rules, regulations, orders, letters and circulars etc. Queries/clarification or interpretation of information is outside the purview of the Right to Information Act, 2005. The CPIO is not supposed to create information; or to interpret information. There is no other information to provide.

4. The particulars of the Appellate Authority in respect of the above information are Shri J.A. Vaidyanathan, Director (E), Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, Room No. 279, North Block, New Delhi – 110001.

Yours faithfully,

(Raju Saraswat)
CPIO & Under Secretary
Tel:23040264

Copy to alongwith above said RTI application of Sh. Mukesh Kumar Verma with the request to provide the information, if any, directly to the applicant:

1. Department of Pension & Pensioners Welfare, RTI Cell, Lok Nayak Bhawan, New Delhi.
2. Department of Public Enterprises, RTI Cell, Block No. 14, CGO Complex, New Delhi.
Dear Sir,

Kindly provide following information under RTI Act 2005. The information are related with Rules and Provisions regarding Service Conditions and Disciplinary Matters.

The information is requested regarding rules and provisions for the employee who commits Misconduct after ceasing his status of Government employee by opting to join Corporation.

(1) Kindly provide the Rule provision by which an Government Employee of a Government Department when got absorbed in a Corporation on exercising his Option to join Corporation will cease his benefits of Government Employee and cannot remain eligible for benefits available to him as a Government employee available to him under CCS (CCA) Rules and CCS Conduct Rules.

(2) Please provide information about the Rules and Provisions whether an government employee who opt for joining Corporation will be awarded penalty as per his earlier status of Government employee or he will be awarded penalty under the new Conditions of service and Conduct Rules applicable on him after his absorption in Corporation for the Misconduct done by him after his absorption.
(3) Kindly provide information as per Rules and Provisions which Conduct Rules and nature of Penalty are made applicable on the employee who had committed Misconduct after his Option to get absorbed in Corporation by the ex-Government employee, please provide clear information that such employee can be given penalty as per the Provisions under Government Rules or he should be imposed penalty as per the penalties listed under the Conduct Rules applicable on him as a Corporation employee.

(4) Please provide clear information whether his previous department (Government) can change and impose penalty as per Penalties listed and applicable on Government employees even after years of cessation of Government servant status after absorption in Corporation by virtue of his Option to join Corporation and enjoying the benefits of Corporation at the time of committing Misconduct.

Kindly provide the Certified copy of the above information. Sir, I am ready to pay the additional charges for the certified extracts and informations as per provisions of RTI Act 2005.

Matter is related with Corruption and Misuse of Official power and Office for personal gains. Hence, the above request is in public interest and urgent information is requested.

Regards.

Mukesh Kumar
(28102014)