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कर्मचारी भविष्य निधि संगठन

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

Employees' Provident Fund Organisation

(Ministry of Labour & Employment, Govt. Of India)

मुख्य कार्यालय/ Head Office,

भविष्य निधि भवन, 14- भीकाजी कामा प्लेस, नई दिल्ली - ११००६६
Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066

IMMEDIATE

No. MIS/Right to Information/2011

Date:

To,

All Regional Provident Fund Commissioners/
CPIOs in the Regional Offices.

5 APR 2011

Subject: Supply of information under RTI Act, 2005 in compliance of Chief Information Commissioner order dated 18.03.2011- Reg.

Sir,

I am directed to state that in an appeal petition dated 06.12.10 filed by Sh. M.P. Srivastava before the Chief Information Commissioner, an order has been passed on in which the information Commissioner has directed CPIO (MIS) at Head Office that the information obtained in MIS-110 & MIS-111 may be uploaded on the EPFOs website at the end of the financial year and to be updated before 30th May of the subsequent year. A copy of the CIC Decision No. CIC/SG/A/2010/003432/11550 dated 18.03.11 is enclosed herewith.

2. You are therefore requested to send MIS-110 & MIS-111 for the period 2010-2011 for the entire Region under your jurisdiction by 20.04.2011 so that the order of CIC is complied by CPIO (MIS). Meanwhile, the information contained in MIS-110 & MIS-111 for the year 2009-2010 has been uploaded on the EPFOs central website in compliance with the order of the CIC. In order to minimize the submission time, the MIS Returns may be sent through email at neomishq@yahoo.com & rc.mis@epfindia.gov.in.

3. This may be treated as most urgent.

Yours faithfully,

(Sanjay Bisht)
CPIO/ RPFC (MIS)

Encl: As above

Copy to :

- (i) Addl. CPFC in the Zonal Offices.
- (ii) CPIO (PID) for information w.r.t. letter dated 23.03.2011.

(iii) RC (HDC) for uploading on the website.

(Sanjay Bisht)
CPIO/ RPFC (MIS)

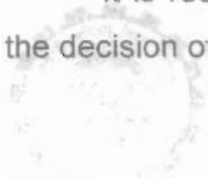


Public Information Division

Sub:- Decision No. CIC/SG/A/2010/003432/11550
dated 18.03.11 under RTI Act,2005-
Sh.M.P.Srivastava-regarding.

Please find enclosed a copy of decision dated 18.03.11 given by Central Information Commission in respect of RTI application of Sh. M.P.Srivastava.

It is requested to take necessary action in the matter accordingly to the decision of CIC under intimation to Public Information Division.



Amit - 22.3.2011

(Amit Vashist)

Regional.P.F.Commissioner(PID)

IMPORTANT

Action may be taken
in the above
mentioned
A compliance report
has to be sent to
CIC also.

RPFC/CPIO(MIS)

PID/CIC decision/ 10

Date:- 23.03.11

24/3/11
सिबिय बिष्ट
राज्य प्रविध्य निधि आयुक्त गेड ॥
कर्मचारी प्रविध्य निधि संगठन
(आय एवं वेतन) मंत्रालय, भारत सरकार
14, भीकापूरी कामा प्लस, नई दिल्ली-66

Receipt

24/03/11

309
24/03/2011

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

Decision No. CIC/SG/A/2010/003432/11550
Appeal No. CIC/SG/A/2010/003432

Relevant Facts emerging from the Appeal

Appellant : Mr. M. P. Srivastava
Urmila Bhavan, Road No. 14A,
East Ashok Nagar, Kankarbagh,
Patna —20.

Respondent : Mr. Amit Vashist
Public Information Officer & RPFC-II,
Employees Provident Fund Organization,
Ministry of Labour, Govt. Of India
Bhavishya Nidhi Bhawan, 14,
Bhikaji Cama Place,
New Delhi —110066.

PI process,
Amit
अमित वाशिष्ठ
AMIT VASHIST
क्षेत्रीय म. नि. आयुक्त
Regional P. F. Commissioner

SP(PIO)

RTI application filed on : 09/09/2010
PIO replied : Not Replied
First appeal filed on : 15/10/2010
First Appellate Authority order : 25/10/2010
Second Appeal received on : 06/12/2010

21/3/11
en. mem.

Information Sought:

The Appellant had sought information regarding the 56th Annual Report for the year 2008-2009 of the EPFO, according to which there are 309 unexempted establishments and 75 exempted establishments. But the period of these fault for which arrears relate and the details of legal actions for release of the amount in arrears and also the details of prosecution launched against the responsible persons of the defaulting establishments as laid down in the EPF Act, have not been mentioned against each of the establishment.

1. Mention the period of the default In respect of each defaulting establishment.
2. Specify the details of the action taken against the defaulting employers as required under section 8B, 8C, 8F, 14, 14(1B), 14(2A), 14A, 14AA, 14B, of the EPF Act read with para 76 of the EPF Scheme and also under section 405/406/409 IPC.
3. Provide with the details of those amounts already fallen in arrear with the period of the default subsequent to the period for which amount assessed have already been incorporated in the annual report.
4. Mention the details of action taken against all the erring officials, who have not taken actions against the defaulting establishment in time which resulted In mounting up of these arrears as these arrears must not have accumulated in 1 month or 2-3 months.

Reply of PIO:

Not replied.

First Appeal:

No information given by CPIO.

Order of the FAA:

FAA refused to entertain the appeal of the applicant stating that they were not the concerned appellate authorities of the region. FAA also ordered appellant to file an appeal before the concerned Appellate Authority of the Region.

Ground of the Second Appeal:

No information given by PIO and appeal disposed off by FAA without providing any information.

Relevant Facts emerging during Hearing:

The following were present:

Appellant : Mr. M. P. Srivastava on video conference from NIC-Patna Studio;

Respondent : Mr. Amit Vashist, Public Information Officer & RPFC-II; Mr. V. D. Jawale, RPFC-II, Nizamabad (AP)

The information sought by the Appellant would be available at 120 different offices of the organizations. The PIO has transferred the RTI application to the 120 office some which have sent the information to the Appellant. The Appellant has identified that if MIS 110 & 111 for the quarter ending March 2009 provided by the PIO it would meet the information need that he has. Discussion with the Appellant,- who is a former Enforcement Officer,- seems to indicate that if this information were to be put-up every year at the end of March it would be useful for all the citizens to be able to verify and understand the performance of EPFO. Hence the Commission under its powers under Section 19(8)(a) of the RTI Act directs the PIO to ensure that the information obtained in NIS-110 & 111 is displayed on the website for the period January to March 2010 and updated each year before 30 May of the subsequent year. This is a requirement being specified by the Commission under Section-4(1)(b)(xvii)

Decision:

The Appeal is allowed.

The PIO is directed to provide the information as directed above to the Appellant before 05 April 2011.

The PIO is also directed to ensure that that the information obtained in NIS-110 & 111 is displayed on the website for the period January to March 2010 and updated each year before 30 May of the subsequent year. This is a requirement being specified by the Commission under Section-4(1)(b)(xvii). The PIO is directed to send a compliance report along with the url address where the information has been uploaded to rtimonitoring@gmail.com.

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
18 March 2011

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