

07/10



भारतसरकार/Govt. of India
प्रकाशनविभाग/Department of Publication
सिविललाईन्स, दिल्ली/Civil Lines, Delhi-110054
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TEL.: 2381 7823 / 9689 / 3761 / 3762 / 3764 / 3765.
Fax: 2381 7846

File No. O&M/20049/2025

Dated: 07/10/2025

To
Dheeraj Bhargava
C- 36, Sector 23, Noida,
UP- 201301

Sub:- Information under the Right to Information Act, 2005.

Sir,

With reference to your RTI request with registration no. DOPUB/R/X/25/00009, it is informed that thereply of the information sought by you is as under:-

The requested Gazette Notification by you is available with this Department. A certified copy of the Gazette may be provided upon the payment of Rs.120/- (which includes Rs.100/- for gazette and Rs.20/- for postal charges) through the Bharat Kosh NTRP portal, and provide the copy of its receipt to this Department either via post or email viz. acop-dep@nic.in. (Note: please mention this letter under reference).

In case you are not satisfied with the reply furnished as above, you may file first appeal before the First Appellate Authority of this office i.e. Mukta Narula, Financial Officer, Civil Lines, Delhi-110054; details are also available in RTI portal, within 30 days of receipt of this reply.

Yours faithfully,

(Lucy Jyoti Beck)

Central Public Information Officer

राजपत्र/123033/2025

आर.टी.आई का
श्री चौरा ~~गवर्नर~~
आर.टी.आई

संख्या: - आर.टी.आई/20049/2025

मोहता 3.5

विषय: - आर.टी.आई सूट 2005 के अन्तर्गत मांगी गई सुचना के संबंध में।

महोदय,

आपके आर.टी.आई दिनांक 9/9/2025 के संख्या में आपको सूचित किया जाता है कि आपके द्वारा मांगा गया राजपत्र के इस विभाग में बिक्री के लिए उपलब्ध है जिसकी कीमत ₹ 120/- (राजपत्र की कीमत ₹ 100 + 20% टाक शुल्क) है। अगर आपको इस राजपत्र की सहायक प्रतियां चाहिए तो कृपया - ₹ 120/- की राशि NTRP पर भुगतान कर इसकी वसीद भेजें ताकि राजपत्र की सहायक प्रतियां भेजी जा सकें।
सुचनार्थ सूचित है।

आपका
24/9/25

आ.टी.आई/ ~~रा.टी.आई~~ ^{रा.टी.आई} 22-9-25
मोहता 3.5

MOST URGENT
RTI MATTER

Organization and Methods Section

Date: 10/9/2025

O&M / 20049/2025

The Cazette Section is hereby requested to furnish the information sought by Mr./Ms. Dheeraj Bhargava. The requisite information should be submitted to this Section by 19/9/2025, to enable the Central Public Information Officer (CPIO) to provide the necessary response to the RTI applicant within the prescribed time frame. A copy of the RTI application is enclosed herewith for reference.

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AC(Admn)

SUPDT

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RTI REQUEST DETAILS

Registration No. :	DOPUB/R/X/25/00009	Date of Receipt :	09/09/2025
Transferred From :	Department of Personnel & Training on 09/09/2025 With Reference Number : DOP&T/R/E/25/05950		
Type of Receipt :	Electronically Transferred from Other Public Authority	Language of Request :	English
Name :	DHEERAJ BHARGAVA	Gender :	Male
Address :	C-36, Sector 23, NOIDA, Pin:201301		
State :	Uttar Pradesh	Country :	Details not provided
Phone No. :	+91-9582289924	Mobile No. :	+91-9582289924
Email :	dheerajbhargava@yahoo.com		
Status(Rural/Urban) :	Urban	Education Status :	Above Graduate
Letter No. :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? :	No	Citizenship Status	Indian
Amount Paid :	10)	Mode of Payment	Payment Gateway
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	
Information Sought :	Partially pertains to D/o Publication		
Original RTI Text :	<p>This RTI is addressed to DOPT. The relevant file on this matter regarding Definition of Ex Serviceman is held in DOPT office.</p> <p>The change in Definition of Ex Serviceman which became operative on 15 Nov 1986 through GSR issued on 27 Mar 1987(Copy attached) involved CHANGE IN TERMS AND CONDITIONS OF EMPLOYMENT of officers of the Armed Forces, wherein the expression - those released at their own request after completing 5 years service in the Armed Forces of the Union - was removed which as per Transaction of Business Rules 1961, had to be Cleared through inter-ministerial consultation (DOPT, Law Ministry, Finance, MHA), and placed before the Union Cabinet via the Cabinet Secretariat. Remarks of DOPT Secretary Mr N.Ramanujam in File No 36034/5/85-Estt(SCT) on page No 27 dated 31 May 1986 of noting sheets(copy attached) confirming that this change mandated cabinet approval. This information was shared by DOPT in RTI answer given by Dy Secretary and First Appellate Authority of DOPT dated 24 Nov 2022.</p> <p>You are requested to provide information as per documents available in DOPT to the following query.</p>		

Gazette

Query - Please share authority based on which a MoS of any ministry has the seniority and power to publish Gazette notification effecting change in Terms and Conditions of Employment of Government Employees (Indian Armed Forces officers, part of MoD in this case).

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No.DOP&T/A/E/22/01084
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training.

North Block, New Delhi-110001
Dated the 24th November, 2022

ORDER

Subject: Appeal No. DOP&T/A/E/22/01084 dated the 30th October 2022 against reply furnished by the CPIO to RTI application Regd. No. DOP&T/R/E/22/02439 dated the 05th May 2022 by Shri Dheeraj Bhargava

WHEREAS the undersigned is in receipt of an RTI Appeal No. DOP&T/A/E/22/01084 dated the 30th October 2022, preferred by Shri Dheeraj Bhargava, addressed to the First Appellate Authority under RTI Act, 2005 with reference to his RTI request No. DOP&T/R/E/22/02439 dated the 05th May 2022.

AND WHEREAS it has been observed that the CPIO, vide online Communication dated 26th May 2022, had sent a reply with reference to his RTI application dated the 05th May 2022 and provided the relevant note portion in respect of file no.36034/1/2006-Estt (Res.) and file no. 36034/5/85-Estt (SCT).

AND WHEREAS the present appeal dated the 30th October 2022 has been filed by citing the grounds for appeal is that the query in RTI has been partially answered. The appellant has requested to provide Pages 1-25 in respect of file no.36034/1/2006-Estt (Res.) and Pages 1-36 of file no. 36034/5/85-Estt (SCT).

AND WHEREAS the undersigned as first Appellate Authority after carefully perusing the application of the Appellant has decided to provide the remaining pages of notes portion of the relevant file as requested by the Appellant. Accordingly, the desired pages are enclosed herewith for information.

AND WHEREAS it may be noted that as per the provisions of the RTI Act 2005, the public authority can only provide information, which already exists with the public authority or is held under his control. The Public Information Officer (PIO)/ Central Public Information Officer (CPIO) is not supposed to 'create' information or to 'interpret' information. The Act does not require the PIO/ CPIO to deduce some 'conclusion' from the 'material held or provided' and supply the 'conclusion' so deduced to the Applicant. The CPIO is also not required to give his 'opinion' or 'advice' in any matter to solve problems of the Applicant.

NOW, THEREFORE, in exercise of powers conferred under Section 19 (6) of the RTI Act, 2005, the appeal, made by the applicant, stands disposed off.

A second appeal against the order shall lie with the Hon'ble Central Information Commission, Baba Gangnath Marg, Munirka, New Delhi-110067.



(Sitansu Mohan Routray)

Dy. Secretary and First Appellate Authority

Copy to

1. Shri Dheeraj Bhargava, C-36, Sector-23, No-da, Uttar Pradesh-201301
[Email id: dheerajbhargava@yahoo.com]
2. CPIO (Res II), DoP&T, North Block, New Delhi
3. Section Officer (RTI Cell), DoP&T, North Block, New Delhi
4. PA to DS (Res II)

5. I have also discussed the matter with the Director (JCA) and with our acceptance of simultaneous condition of pension eligibility, it is not necessary to stipulate the deletion of the expression "or circumstances beyond his control", as proposed in para 6 at page 15/N. In other words, the definition worked out by the High Level Committee can be fully accepted by us.

K. Ramanujam
(K. Ramanujam)
Secretary (P)
26-8-1985

MS (P)

[Signature]
25/8/85

SKM/P

24/8

JS (SCD)
25-8-85
Dr (JCA)

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S No: (K) *unfor) Pm*

NO 1816/45(20)/P/85
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3293-85(42)/85
30/8

31/9/85

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No. 36034/5/85 - Estt. (SCT)
Government of India
Ministry of Personnel, Public Grievances
& Pensions
Deptt. of Personnel & Training

New Delhi, dated 27th March, 1987

NOTIFICATION

GSR- In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979, namely :

1. (1) These rules may be called the Ex-servicemen (Re-employment in Central Civil Services and Posts) Amendment Rules, 1987.
- (2) They shall be deemed to have come into force on the 15th day of November, 1986.
2. In rule 2 of the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979, to clause (c) , the following proviso shall be added, namely :

"Provided that for the period commencing on the 15th day of November, 1986 and ending with the 30th day of June, 1987, any person who has been released :

- (a) at his own request after completing 5 years service in the Armed Forces of the Union;
or

- (b) **after serving** for a continuous period of six months **after attestation**, otherwise than at his own request or by way of dismissal or discharge on account of mis-conduct or inefficiency or has been transferred to the reserve pending such release ;

shall also deemed to be an ex-serviceman for the purposes of this clause."

Note : Principle rules were published **vide** notification No. GSR - 1530 dated the 29 th December, 1979 and subsequently amended **vide** notification No. GSR-973 dated 15th November, 1986 in the Gazette of India, Part II- Section 3 -Sub-section (i).