

National Council for Cement and Building Materials

Frequently Asked Questions (FAQs) in RTI

1. What are Recruitment Rules?

Recruitment Rules are rules notified under proviso to Article 309 or any specific statutes for post(s) prescribing inter alia the method of recruitment and eligibility for such recruitment. It contains notification part having substantive rules and schedule part (as per prescribed Annexure-I). Recruitment Rules are subordinate legislation and so, they are statutory in nature.

2. Why are Recruitment Rules amended?

Revision in the Recruitment Rules is made by way of amendment to incorporate changes due to implementation of Central Pay Commission Report, modification of orders/instructions on the subject, creation/abolition of posts etc. during the intervening period.

3. How Recruitment Rules are framed/amended?

Recruitment Rules for Group 'A' & 'B' posts/service are framed/amended by the administrative Ministry/Department in consultation with Department of Personnel & Training, Union Public Service Commission and Ministry of Law (Legislative Department) and approval of competent authority in the Ministry/Department to be obtained.

4. Why and how are Recruitment Rules relaxed?

The power to relax clause in the Recruitment Rules Service Rules provides the authority to relax the rules in respect of class or category of person. The administrative Ministry/Department may resort to relaxation of the rules in consultation with Department of Personnel & Training and Union Public Service Commission.

5. What are model Recruitment Rules?

Model Recruitment Rules for a number of common categories of posts have been framed in consultation with Union Public Service Commission, wherever required. While framing/ amending Recruitment Rules for such posts, the model rules should be adhered to.

6. What is initial constitution clause in Recruitment Rules?

In cases where a new service is formed and the Recruitment Rules are framed for the first time and that there are officers already holding different categories of posts proposed to be included in the service on a regular/long term basis, a suitable 'Initial Constitution' Clause may be inserted in the Notification so as to count the regular service rendered by such officers before the date of notification of the Rules.

7. What is notification part of Recruitment Rules?

Notification of Recruitment Rules contains the substantive rules which include the provisions related to title, date of commencement, enabling provision for applicability of schedule, disqualification clause, power to relax clause, saving clause and any other rule specific to a post viz. initial constitution clause, liability for all-India Service etc.

8. What are the upper age limits prescribed for Direct Recruitment?

The upper age limits for different posts depend upon the nature of duties, educational qualifications and experience requirements as prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31/12.2010 (Para (3.7.4.1 & 3.7.4.2).

9. How to calculate crucial date for age limit?

In the case of recruitment through the Union Public Service Commission and the Staff Selection Commission, the crucial date for determining the age-limit shall be as advertised by the UPSC / SSC. In the case of other recruitment, the crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam etc.).

10. How is the educational and other qualification required for direct recruit fixed?

The minimum educational qualifications and experience required for direct recruitment may be indicated as precisely as possible and if necessary, into two “parts, viz., “Essential Qualifications” and “Desirable Qualifications” taking into account the pay band/ grade pay and the nature of duties, and the provisions in the approved Recruitment Rules for similar higher and lower posts in the same hierarchy.

11. Whether any age limit prescribed for promotion?

Unless there are any specific grounds, the age limit prescribed for direct recruits are not insisted upon in the case of promotees.

12. What are the methods of recruitments?

The different methods of recruitment are:

- (a) Promotion
- (b) Direct Recruitment
- (c) Deputation
- (d) Absorption
- (e) Re-employment
- (f) Short-term contract

13. What is promotion?

Promotion is method of recruitment from feeder grade post(s) to higher post in the hierarchy as per the provisions of the Recruitment Rules. If promotion is kept as a method of recruitment, it is also necessary to lay down the number of years of qualifying service before the persons in the field become eligible for promotion. Only regular, and not ad hoc, period of service is taken into account for purposes of computing this service.

14. What is Direct Recruitment?

Direct recruitment is the recruitment which is open to all candidates, eligible as per the provisions regarding age, educational qualification/ experience etc. as prescribed in Recruitment Rules.

15. What is Deputation?

Deputation is a method of recruitment where officers of Central Government Departments or State/UT Governments from outside are appointed to post(s) in Central Government for a limited period, by the end of which they will have to return to their parent cadres. In case of isolated post, it is desirable to keep the method of recruitment of deputation/ short term contract as otherwise the incumbents of such posts, if directly recruited, will not have any avenue of promotion/ career progression.

16. What is short term contract?

Short term contract is also a form of deputation where officers from non-Government bodies e.g. universities, research institutions, /public sector undertakings for teaching, research, scientific and technical post(s) can come to Central Government posts.

17. Whether absorption and Deputation are synonymous? What is absorption?

Absorption and deputation are not synonymous. There is a substantial difference between absorption and deputation. Under the provision absorption, the officer, who initially comes on deputation, may be permanently absorbed in the post/ grade if recruitment rules prescribe for absorption as mode of recruitment. Such absorption can be effected only in the case of officers who are on deputation from the Central / State Government.

18. What is composite method of recruitment?

In cases where the field of promotion or feeder grade consists of only one post, the method of recruitment by “deputation (including short-term contract) / promotion” is prescribed so that the eligible departmental officer is considered along with outsiders. If the departmental candidate is selected for appointment to the post; it is to be treated as having been filled by promotion; otherwise, the post is to be filled by deputation / short-term contract for the prescribed period of deputation / short-term contract at the end of which the departmental officer will again be afforded an opportunity to be considered for appointment to the post.

19. How is field of deputation decided?

The field for “deputation/short-term contract/absorption should, as far as possible, consist of officers holding analogous posts on regular basis but may be widened to include officers working in the next lower grade] also with the qualifying service on regular basis normally prescribed for promotion.

20. How is the period of qualifying service for promotion decided?

The qualifying service for promotion from one grade to another is necessary so that there is no premature promotion or undue jump in pay and also to ensure that the officer has sufficient opportunity to demonstrate his competence/potential for holding the higher post. The period of qualifying service varies from post to post depending upon the scale of pay and the experience, required for manning the higher post. Broadly, the following qualifying service to be followed is prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (para 3.12.2).

21. What is the maximum age limit for Deputation?

The maximum age limit for appointment on deputation (including short term contract) or absorption shall be not exceeding 56 years as on the closing date of receipt of applications.

22. What is the crucial date for determination of eligibility of absorption/deputation?

The guidelines for crucial date for determination of eligibility for absorption/ deputation are as follows:

(i) In the case of a vacancy already existing at the time of issue of the communication inviting nominations, the eligibility may be determined with reference to the last date prescribed for receipt of nominations in the Ministry/Department/Organization responsible for making appointment to the post i.e. originating Ministry etc.

(ii) In the case where a vacancy is anticipated, the crucial date for determining eligibility should be the date on which the vacancy is expected to arise.

23. How is Departmental Committee formed?

When promotion is kept as a method of recruitment, the detailed composition of the Departmental Promotion Committee, with minimum 3 officers, may be indicated. In the case of promotion to Group 'A' posts, the Union Public Service Commission shall also be associated. The total strength of DPC including Chairman need not necessarily be an odd number, as the decision is to be taken as a joint one.

24. Whether recruitment to a post can be made in absence of recruitment rules of a post?

If there are overriding compulsions for filling any Group A or Group B post in the absence of Recruitment Rules, then the Ministries/Department may make reference to Union Public Service Commission for determination of method of recruitment as a onetime measure for filling up of a post on regular basis.

25. What are the limits for notification of Recruitment Rules?

The Recruitment Rules or amendment(s) thereto as finally approved by the Union Public Service Commission are required to be notified within a period of 10 weeks from the date of receipt of their advice letter. This time limit should be strictly adhered to.

26. What needs to be done in case where posts are transferred to some other Ministries/Departments?

The Ministry/Departments concerned should mutually agree for transfer of the posts and the same should be concurred by Department of Expenditure. Thereafter, the existing RR needs to be de-notified in consultation of Department of Personnel & Training, Union Public Service Commission and Ministry of Law. Suitable recruitment rules in the transferred Department may be framed/ amended following due procedure.

27. Number application received for the advertisement?

All the post advertisement information shall be available on NCCBM's website www.ncbindia.com

28. What is the selection process or procedure you adopt for providing marks to the candidate, whether you concluded written marks with interview or not.

Please refer NCB Contract Service Rules available on NCB website.

29. What are services rules for contract officials as per the rule book of NCCBM?

Rules for contract officials are available on NCCBM Website. For information please refer NCB website www.ncbindia.com.

30. When was the last time permanent recruitment done in NCCBM?

The last permanent recruitment was done in the year 2015.

31. Did the head office of NCCBM remain closed during the second wave of COVID 19 (From 1 April 2021 to 30 July 2021).

NCCBM units were closed as per instruction received from Govt.

32. In which language can the application be filed before a PIO?

The application can be either in:

Hindi

English

The official language of the area in which application is being made.

33. In which language is the PIO expected to reply to the RTI application?

The PIO should provide the copies of the records in the language in which they are available, particularly when the information is not required to be maintained in a particular language. The PIO is not expected to get into the role of a translator. However, the language policy should be followed in terms of the forwarding letter.

34. What are the essential requirements of an application filed before a PIO?

The essential requirements of an application are:

1. The applicant should be a citizen of India;
2. Particulars of information sought;
3. Payment of application fee;
4. Address of the applicant

35. Can a PIO ask for proof of citizenship from an applicant?

Ordinarily no proof of citizenship is required to be submitted along with the application nor is the PIO expected to ask for a proof. However, in certain exceptional circumstances, a PIO may ask for the proof for example, if he has reason to believe that the application has not been filed by a citizen or if there is a doubt whether the applicant is an Indian citizen.

36. What is Information?

Information is any material in any form. It includes records, documents, memos, e-mails, opinions, advices, 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.

37. What is a Public Authority?

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.

38. What is a Public Information Officer?

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.

39. What is an Assistant Public Information Officer?

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.

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.

40. What is the Fee for Seeking Information from Central Government Public Authorities?

A person who desires to seek some information from a Central Government 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. However, the RTI Fee and the mode of payment may vary as under Section 27 and Section 28, of the RTI Act, 2005 the appropriate Government and the competent authority, respectively, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

41. What is the Fee for the BPL applicant for Seeking Information?

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.

42. Is there any specific Format of Application?

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.

43. Is it required to give any reason for seeking information?

The information seeker is not required to give reasons for seeking information.

44. Is there any assistance available to the Applicant for filing RTI application?

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 for inspection.

45. What is the Time Period for Supply of Information?

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.

46. Is there any provision of Appeal under the RTI Act?

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.

47. Is there any scope for second appeal under the RTI Act?

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.

48. Whether Complaints can be made under this Act? If yes, under what conditions?

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.

49. What is Third Party Information?

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.

50. What is the Method of Seeking Information?

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.

51. Is there any organization(s) exempt from providing information under RTI Act?

Yes, certain intelligence and security organisations specified in the Second Schedule, are exempted from providing information excepting the information pertaining to the allegations of corruption and human rights violations.

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