

CENTRAL INFORMATION COMMISSION

August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F.No.CIC/RM/A/2014/001721-YA

Date of Hearing : 10.12.2015

Date of Decision : 21.12.2015

Complainant/Appellant : Shri Vikas K. Telang
Mumbai

Respondent : Shri V.P. Joshi, PIO
Ms. Rohini Datta, Scientific Officer
Bhabha Atomic Research Centre
Mumbai

Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from complaint/appeal:

RTI application filed on : 06.01.2014

PIO replied on : 31.01.2014

First Appeal filed on : 05.02.2014

First Appellate Authority (FAA) order on : 05.03.2014

Complaint/ Second Appeal received on : 20.03.2014

Information sought:

The appellant sought information on 5 points regarding details of contract for installation and commissioning of new PLC system and other related information.

Relevant facts emerging during hearing:

The appellant is not present while the respondent is present and heard through video conferencing. The appellant filed RTI application on 06.01.2014, seeking the above information. PIO vide letter dated 31.01.2014 provided point wise reply to the appellant. The FAA in his order upheld the reply of the PIO.

The respondent stated that information on points 1, 2 & 4 cannot be furnished as the same falls under strategic domain. He stated that disclosure of this information could prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or interests of the state. Therefore, the same is exempted from disclosure u/s 8(1)(a) of the RTI Act. On query by the Commission as to for what purpose PLC system is used, the respondent stated that PLC system is a centralised control system which is used in the centralised control of the various types of reactors. He further stated that if the information is disclosed, then technical details will be disclosed which would compromise on the competitive edge and national security.

As directed by the Commission, the respondent submitted their submission on 16.12.2015 and submitted as under:-

“... The contract details if disclosed in public domain amounts to revealing the specification of hardware and software details to public, and therefore the information could be misused and might go to other competitive suppliers participating in the tendering process. Similarly, the information can also be utilized by other competitors at an international level who could also be developing such technologies. In case business policies of the supplier's change the people having this information can misuse the information. Hence, the same is exempted under section 8(1)(a) of the RTI Act, 2005.”

Decision:-

After hearing the respondent and on perusal of record, the Commission concurs with the stand of the public authority and no further action is required in the matter.

The appeal is disposed of accordingly.

(Yashovardhan Azad)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(B.D. Harit)
Deputy Secretary & Deputy Registrar