केन्द्रीयसूचनाआयोग
Central Information Commission
बाबागंगनाथमार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नईदिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/BARCM/A/2019/648354**

Shri Rohit Janardhan Raghatwan ... अपीलकर्ता/Appellant

VERSUS/बनाम

PIO, Bhabha Atomic Research Centre (Mumbai) ...प्रतिवादीगण /Respondent
Through: Shri Sriram S – CAO

Date of Hearing	:	18.08.2021
Date of Decision	:	18.08.2021
Chief Information Commissioner	:	**Shri Y. K. Sinha**

Relevant facts emerging from appeal:

RTI application filed on	:	16.05.2019
PIO replied on	:	31.05.2019
First Appeal filed on	:	13.06.2019
First Appellate Order on	:	03.07.2019
2ndAppeal/complaint received on	:	Nil

Information sought and background of the case:

The Appellant filed an RTI application dated16.05.2019 which was responded by the CPIO vide letter dated 31.05.2019 as under:-

<table>
<tr><td colspan="2">Date of receipt of Application fee</td><td>:</td><td colspan="3">16.05.2019</td><td>Draft/Cash/IPO Receipt No:</td><td>Online</td></tr>
<tr><td colspan="6">Information Sought</td><td colspan="2">Information Given</td></tr>
<tr><td colspan="6">Please provide Group A, Group B, Group C & Group D employee list of all section who appoint and now working under Category Scheduled Tribe (S.T.) in your Organisation (in all unit i.e. Tarapur, Visakhapatnam, Trombay, Mysore, Kalpakkam)
<table><tr><th>Sr. No.</th><th>Name of the Employee</th><th>Desig-nation</th><th>Section</th><th>Name of Scheduled Tribe</th><th>Date of Appointment</th></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table></td><td colspan="2">List of employees are available in public domain www.barc.gov.in.

The details of caste are personal information, the disclosure of which has no relationship to any public activity or interest, hence exempt under section 8(1)(j) of the RTI Act, 2005.</td></tr>
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Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 13.06.2019. The FAA/Controller vide order dated 03.07.2019 upheld the reply of the CPIO, citing the Supreme Court's decision in the case of *Canara Bank vs. C S Shyam.*

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

Facts emerging in Course of Hearing:

A written submission has been received from CPIO, BARC vide letter dated 12.08.2021 reiterating the above facts and justifying denial of information about caste details of the employees, as third party information.

In order to ensure social distancing and prevent the spread of the pandemic, COVID-19, hearing through video conference was scheduled after giving prior notice to both the parties. Respondent alone is present for the hearing, while the Appellant has not attended the hearing despite service of hearing notice in advance, nor submitted any reason for his absence.

Decision:

The facts of the case at hand have been examined and the Commission is satisfied with the response furnished by the Respondent, considering the fact that information as defined under section 2(f) of the RTI Act and as permissible under the Act, has been provided by the Respondent. It is also noted that the Appellant has neither participated in the hearing nor assigned any reason for his absence. In the given circumstances, the cause of dissatisfaction of the Appellant with the information provided by the Respondent could not be ascertained. The Commission finds no justification to intervene with the case at hand.

The appeal is disposed off as such.

Y. K. Sinha (वाई. के. सिन्हा)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
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