CENTRAL INFORMATION COMMISSION
August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F.No. CIC/RM/A/2014/004203-YA

Date of Hearing	:	03.02.2016
Date of Decision	:	26.02.2016
Complainant/Appellant	:	Smt. S. Alaguvadivel Kanchipuram (T.N.)
Respondent	:	Dr. S. Velmurgan, PIO Shri Sondarajan, APIO & Shri Sriram, US/CPIO Shri S.S. Prasad Rao, US Deptt. Of Atomic Energy Kanchipuram/Mumbai
Information Commissioner	:	**Shri Yashovardhan Azad**

Relevant facts emerging from complaint/appeal:

RTI application filed on	:	22.12.2013
CPIO replied on	:	30.12.2013
First Appeal filed on	:	12.02.2014
First Appellate Authority (FAA) order on	:	18.03.2014
Complaint/ Second Appeal received on	:	11.07.2014

Information Sought:

The appellant sought information on 13 point information relating to sexual harassment of women at workplace.

Backgorund of the case:

The appellant filed an RTI application on 22.12.2013 seeking the above information. CPIO vide his letter dated 30.12.2013 transferred the RTI application to PIO, DAE, PIO, BARC, Mumbai & PIO, BARCF, Kalpakkam for furnishing the information directly to the appellant. PIO, BARC vide his letter dated 15.01.2014 replied to queries 2, 5 & 8 of the RTI application. The FAA in his order directed PIO to provide a copy of the circular pertaining to point No.2 and upheld the decision of PIO pertaining to points 5 & 8 of the RTI application.

→ CAO(A)
Petitions/Councellor
Dispatch No. 16/4/9914
Date/Dak
31 MAR 2016

20/4/16
Smt SY

Relevant facts emerging from hearing:

Both parties are present and heard through video conferencing. The appellant stated that she had filed a complaint for sexual harassment at workplace and a committee was formed to inquire into the matter. Thereafter, the committee was again reconstituted and after inquiry, the committee had submitted its report on 22.01.2013. The report of the said committee was rejected and another committee was formed by the Dept. which has been challenged before the Hon'ble Madras High Court. She stated that she wants to know as to whether the members of the said committee are experts in handling such cases, their experience in handling such cases and whether the committee was formed as per the prevalent norms/guidelines/rules etc. She requested for directions for furnishing the desired information. The respondent from Kanchipuram stated that point nos. 3, 4, 6, 7, 9-12 pertains to them and information as available and as admissible under the RTI Act has already been provided to the appellant. Regarding query 3, he stated that the FAA had provided the relevant circular to the appellant. The respondent from BARC, Mumbai stated query 2, 5 & 8 pertains to them. He stated that initially, query 2 of the appellant was not clear but during the FAA hearing, information was furnished to the appellant. Regarding query 5 & 8, information was denied u/s 8(1)(e) and 8(1)(j) of RTI Act, 2005 and Section 16 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal), Act, 2013.

The appellant further pointed out that she had filed a complaint regarding presence of unauthorised hidden camera and wanted to know the action taken on her complaint but the PIO malafidely denied information. The respondent stated that a preliminary inquiry was done in the matter and the complaint was found to be unsustainable. He stated that the camera about which the appellant is talking about is not a hidden camera but a webcam which is attached with the computer system. On query by the Commission as to whether the hearing was recorded in that camera or not, the respondent replied in the affirmative

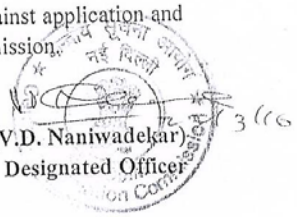
Decision:-

After hearing both parties and on perusal of record, the Commission directs the respondent to explain as to whether the committee which has been formed is as per the extant guidelines and the members constituting the committee have sufficient experience to handle sexual harassment cases. The Commission also directs the respondent to disclose the recording of the hearing, if recorded, in the said camera. If not, then the respondent should submit in affidavit stating that no recording was done. The above directions be complied within 3 weeks of receipt of this order, under intimation to the Commission.

The appeal is disposed of accordingly.

Sd/-
(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.



(V.D. Naniwadekar)
Designated Officer

Copy to:-

Central Public Information Officer under RTI
Chief Administrative Officer-(P),
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First Appellate Authority under RTI
Convtroller-BARC & FAA,
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Trombay, Mumbai-400085 (Maha.).

Central Public Information Officer under RTI
Under Secretary -(R&D-I) & CPIO,
Department of Atomic Energy,
R&D-I Section, Anushakti Bhawan,
C. S. M. Marg, Mumbai-400001 (Maha.).

Central Public Information Officer under RTI
Under Secretary -(SCS) & CPIO,
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Public Information Officer under RTI
Dr. S. Velmurugan,
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Smt. Sushma Alaguvadivel
(I.C.No.-581),
101, Purnima,
Anupuram, Kalpakkam,
District - Kanchipuram-603127 (T.N.).