CENTRAL INFORMATION COMMISSION
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Decision No. CIC/SG/A/2011/002142/15676
Appeal No. CIC/SG/A/2011/002142

Relevant facts emerging from the Appeal:

Appellant	:	Smt. Suruchi Sharma 19, Cantonment Colony, Vatsalya, Dr. Ambedkar Nagar, Madhya Pradesh, Indore – 453441.
Respondent	:	Mr. Goverdhan Rao PIO & Head Personnel Division **Bhabha Atomic Research Centre,** O/o The Head (Personnel Division), Central Complex, 3rd Floor, Trombay, Mumbai – 400085.
RTI application filed on	:	04-01-2011
PIO replied on	:	15-03-2011
First Appeal filed on	:	07-04-2011
First Appellate Authority order of	:	27-04-2011
Second Appeal received on	:	20-07-2011

Information Sought:

1. Syllabus for Departmental Additional Qualification Examination conducted by BARC for the candidates who did their post graduation in:
   a) M.Sc. (Computer Science)
   b) M.Sc. (Information Technology)
2. Photosat copies of the papers of all the previously conducted Departmental Additional Qualification Examinations by BARC for candidates who did their post graduation in:
   a) M.Sc. (Computer Science)
   b) M. Sc. (Information Technology)
3. Cutoff percentage of marks required to qualify for promotion interview on the basis of Additional Qualification.

The PIO reply:

1. 'Additional Qualification' is being acquired by the employees of the department from different universities/institutes spread all over India. The syllabus of these institutions varies significantly. The departmental qualifying examination conducted by BARC is devised with the intention to test their fundamental knowledge in the concerned discipline and to test the technical ability through written expression of the candidate. The candidates are expected to be thorough on the fundamentals in the area of subject/qualifications and should also have reasonable understanding of related fields in the department. Hence there was no specific syllabus specified for the departmental exams conducted so far. However, all efforts are being made to design some appropriate syllabus for the exams to be conducted in future.
2. Preparation of questions is a time consuming job, which is being done by our scientists/engineers in addition to their normal official assignments. Since the question bank is extremely limited, the question papers of previous exams cannot be made open.

3. The cut-off marks are kept deliberately felxible, keeping in view the toughness of the question papers and performance of the candidates in the written examinations. However, during the last DQE, the cut-off marks adopted was 60%.

Grounds for the First Appeal:
Unsatisfactory reply was given to the appellant by the PIO.

Order of the First Appellate Authority (FAA):
1. I have called for the records related to this case from the PIO and found that the query raised by Smt. Suruchi Sharma in her RTI application dated 04.01.2011 has been replied by the PIO in adequate manner within the prescribed time limit.
2. With regard to Query No.1,the syllabus is still being finalised and will be displayed on BARC intranet shortly, before conducting the next Departmental Qualifying Examination. For the reasons indicated in the answer to Query No.2, I uphold the reply given by PIO, BARC.

Ground of the Second Appeal:
Unsatisfactory information had been provided by the PIO.

Relevant Facts emerging during Hearing:
The following were present
Appellant : Mr. Umesh Sharma representing Smt. Suruchi Sharma
Respondent : Mr. Goverdhan Rao, PIO & Head Personnel Division on video conference from NIC-Mumbai Studio;

The PIO states that the RTI application was filed no syllabus has been prepared but the syllabus has now been prepared. The PIO is directed to send a copy of this syllabus to the Appellant.

The PIO has refused to give the question papers for the earlier years contending that there is a limited question bank. The PIO has not been able to claim any exemption under Section 8(1) of the RTI Act. Information can be denied only if it is covered under Section 8(1) of the RTI Act. The PIO is therefore directed to provide the information to the Appellant.

Decision:
The Appeal is allowed.

The PIO is directed to provide the Syllabus and the Question Papers uptil now to the Appellant before 05 December 2011.

This decision is announced in open chamber.
Notice of this decision be given free of cost to the parties.
Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
15 November 2011

(In any correspondence on this decision, mention the complete decision number.) (SU)