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

F. No.CIC/SS/A/2014/000282-YA
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Date of Hearing	:	07.04.2016
Date of Decision	:	07.04.2016
Appellant/Complainant	:	**Shri V.K. Telang** Mumbai
Respondent	:	**CPIO, BARC** Mumbai Through: Shri B.P. Joshi, CPIO
Information Commissioner	:	**Shri Yashovardhan Azad**

Since the present appeals involve common parties, they are being clubbed together for the purpose of hearing and disposal to avoid multiplicity of proceedings.

F. No.CIC/SS/A/2014/000282-YA

Information sought and background of the case:

The appellant sought the following information vide his RTI application dated 25.10.2013:

1. *Names of dignitaries/delegations who visited Control Room located in first floor operation gallery of Hall 7, BARC (from where facilities like HTL, ITF, BWL, NCL, FISBE, ITL are operated). Details such as date, month and year of visit should be provided.*
2. *Dignitaries should include the ones such as Director BARC (along with name) Chairman, AEC (along with name) foreign delegations (name of the institution along with name of country, number of people in the delegation) parliamentary committees, members of Indian Parliament etc.*

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On 11.11.2013, the PIO denied information invoking Section 8(1)(j) of the RTI Act, 2005. The appellant preferred first appeal. The FAA while upholding the decision of CPIO observed:

> *"The PIO has replied that the information requested has no relationship to any public activity or interest. Hence exempt under Section 8(1)(j) of the RTI Act, 2005. However, it is intimated that for visiting Operation gallery of hall 7, no specific permission is required and hence no record of visitors and the details of their visits are maintained"*

Feeling aggrieved, the appellant approached the Commission.

Relevant facts emerging during hearing:

The appellant is absent despite notice. The CPIO is present and heard. The CPIO draws attention of the Commission towards the order passed by FAA. He states that the information sought could not be furnished as no record of visits to the hall in question is maintained.

Since the appellant is absent, his views could not be ascertained.

Decision:

After hearing the respondent and perusal of record, the Commission upholds the first appellate order. The RTI law does not mandate a public authority to create information particularly when there is no statutory mandate to maintain the record sought.

The appeal is disposed of accordingly.

F. No. CIC/SS/A/2014/000284-YA

Information sought and background of the case:

The appellant sought following information vide his RTI application dated 17.10.2013:

1. *Names of officers from Reactor Control Division (RCnd) and Control Instrumentation Division (CnID) and Computer Division who were awarded Homi Bhabha Science and Technology award for year 2010 and subsequent years till present year. Names of officers of above two divisions who are selected for Homi Bhabha Science & Technology award for year 2012 to be presented in year 2013 may also be furnished*

2. *BARC training school discipline, training school batch number, percentage marks of these officers alongwith their rank in BARC training school may kindly be furnished (e.g. if a particular discipline in BARC training school has 20 officers and the rank obtained was 2, it should be clearly indicated that rank was 2 in a batch strength of 20*
3. *Number of failures in promotion interview up to and inclusive of grade SO/F for these officers should be furnished*

Vide reply dated 14.11.2013; the PIO furnished the requisite information but denied disclosure of marks secured, ranking and number of failed candidates in promotional interview claiming exemption under Section 8(1)(j) of the RTI Act, 2005. The FAA upheld the decision of CPIO. Feeling aggrieved, the appellant approached the Commission.

Relevant facts emerging during hearing:

The appellant is absent despite notice. The CPIO is present and heard. The CPIO states that the appellant had sought multifaceted information regarding examination process of BARC trainees in BARC training school and promotional process of BARC officers. He states that the information as found permissible was furnished to the appellant. He further draws the attention of the Commission towards the first appellate order.

Decision:

After hearing the respondent and perusal of record, the Commission finds the order impugned before the Commission to be in order. The Commission is in concurrence with the order passed by FAA. The information sought invariably constitutes personal information of the officials of BARC and held by the employer–public authority for internal assessment etc and its revelation would not serve any fruitful purpose unless larger public interest warrants disclosure. However, in the present set of facts, no larger public interest is demonstrated by the appellant.

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),
Bhabha Atomic Research Centre,
Central Complex, 3rd Floor,
Trombay,
Mumbai-400085 (Maharashtra).

First Appellate Authority under RTI
Controller & FAA,
Babha Atomic Research Centre,
Central Complex, 6th Floor,
Trombay,
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