

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/BARCM/A/2019/128757**

Ms. Lalitha S Raman

... अपीलकर्ता/Appellant

VERSUS/बनाम

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

...प्रतिवादीगण /Respondent

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 : 13.03.2019

PIO replied on : 04.04.2019

First Appeal filed on : 02.05.2019

First Appellate Order on : 16.05.2019

2<sup>nd</sup>Appeal/complaint received on : 18.06.2019

**Information sought and background of the case:**

The Appellant filed an RTI application dated 13.03.2019 seeking copy of email from Vijayamathangeevmathangee@yahoo.com to [kbsainis@apsara.barc.ernet.in](mailto:kbsainis@apsara.barc.ernet.in) dated 07.06.2010 at 11.26 AM.

The PIO/Chief Administrative Officer (A) vide letter dated 04.04.2019 stated that information required is not available with the public authority and hence could not be provided.

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 02.05.2019. The FAA/Controller vide order dated 16.05.2019 upheld the reply of the CPIO stating that "Dr. K B Sainis retired from service on 31.10.2013. ..As the email account are kept active only for the period of 3 months from the date of retirement, the CPIO has rightly stated that the information sought is not available with the public authority and hence cannot be provided.."

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.

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 her absence.

**Decision:**

The facts of the case at hand have been examined and the Commission is satisfied with the response furnished by the Respondent, since information as defined under section 2(f) of the RTI Act has been provided by the Respondent. Considering the fact that the Appellant has neither participated in the hearing nor assigned any reason for her absence, the ground for filing this Second Appeal could not be ascertained. In the given circumstances, no intervention is warranted in this case.

The appeal is disposed off as such.

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

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