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7/11/2016

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

F. No. **CIC/DS/A/2013/001905-YA**

Date of Hearing : **31.08.2016**
Date of Decision : **01.09.2016**
Appellant/Complainant : **Shri G Venkateswarlu,
Rangareddy(Telan.)**
Respondent : CPIO, Bhabha Atomic Research
Centre, Mumbai (Maha.)
Through:
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

RTI application filed on : 09.07.2013
PIO replied on : 12.07.2013
First Appeal filed on : 07.08.2013
First Appellate Order on : 27.08.2013
2nd Appeal/complaint received on : 23.09.2013

Information sought and background of the case:

The appellant vide RTI application dated 09.07.2013 sought information under 2 points regarding promotion norms applicable for July 2009, 2010 for the promotion grade SO/D to SO/E seeking differences between certain orders issued by BARC,TC & TSC Section, Mumbai and a copy of a specific order.

CPIO vide letter dated 12.07.2013 furnished copy of the order sought by the appellant while denying interpretation of the rules stating against point no. 1 that CPIO is not competent to give any interpretations on rules and information sought. FAA vide order dated 27.08.2013 disposed of appeal by upholding the reply of CPIO. Feeling aggrieved the appellant approached the Commission.

Relevant facts emerging during hearing:

While the Respondent is present for hearing, the Appellant is not present. The Respondent submits that the appellant works in Nuclear Fuel Complex, which is a constituent unit of DAE, not an employee of BARC. Hence the appellant's service and promotion related policies will be under the control and governance of the NFC. It has further been pointed out that the query in point 1 is not specific. The Respondent has submitted that difference of the duration prescribed under the two orders is that the order/circular issued in 2009 is for four years while the later circular/order issued in 2011 stipulates the period of five years. Copies of circulars have been issued to the appellant. He further stated that promotion norms are available online also, which the appellant is well aware, as is evident from perusal of the records of the case also.

Decision:

After hearing parties and perusal of record, the Commission observes that information as available with the respondent has been furnished already. The details/grievances about promotion of the appellant can be adequately answered only by his controlling authority viz. Nuclear Fuel Complex. In view of the facts of the case as discussed above, no further action in this case is required.

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.


(R.P. Grover)
Designated Officer