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/2019/649435**

Shri Shekh Mohsin ... अपीलकर्ता/Appellant

VERSUS/बनाम

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

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 : 28.06.2019
PIO replied on : 26.07.2019
First Appeal filed on : 30.07.2019
First Appellate Order on : 28.08.2019
2nd Appeal/complaint received on : 29.08.2019

Information sought and background of the case:

The Appellant filed an RTI application dated 28.06.2019 which was responded to by the CPIO vide letter dated 26.07.2019:-

Date of receipt of Application fee	:	28.06.2019	Draft/Cash/IPO Receipt No:	Online
Sl. No.	**Information Sought**		**Information Given**	
1.	Kindly provide the certified documents of your organization by which following information can be made available to me Provide the comprehensive prerequisite to be met, for considering change of track of directly recruited Technical officer to Scientific officer at the time of their next promotion.		No such information is available in this Centre.	
2.	The Minimum Eligibility Period of Promotion norms (Table-IAP) applicable for scientific officer-D for promotion to SO-E after change of Track of a directly recruited officer Grade – C, fulfilling Clause 2.2.7 of reference document.		No such criteria/promotion norms exists.	
3.	Criteria for dissimilar Minimum Eligibility Period of Promotion norms for directly recruited officer from Grade-D to E after successfully undergoing orientation training approved by competent authority than from Scientific officer from Grade –D to E holding similar job responsibilities and duties.			

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 30.07.2019. The FAA/Controller vide order dated 28.08.2019

upheld the reply of the CPIO stating that information sought is not available 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 16.08.2021, reiterating the aforementioned 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. Appellant has not been represented at the venue for video conference but Respondent is present for the virtual hearing. During the course of hearing, the Respondent placed reliance on the following paragraph of the written submissions dated 16.08.2021:

> (vii) It is also informed that subsequently, Department of Atomic Energy (DAE) vide Office Memorandum No. 23/1(7)/2014-CCS/Vol. II/36 dated 02.01.2020, the said clause for conversion of Technical Officer to Scientific Officer grade has been removed (copy enclosed as Annexure).

Decision:

Upon perusal of records of the case at hand, the Commission notes that information as defined under section 2(f) of the RTI Act has been provided by the Respondent. The written submissions dated 16.08.2021 provides a concise report of the complete facts of the case and the same appears to have been marked to the Appellant, through the CIC portal. On the other hand, the Appellant has neither participated in the hearing nor assigned any reason for his absence. As such, the cause of his dissatisfaction with the information provided by the Respondent could not be ascertained. In the given circumstances, the Commission is of the considered opinion that no intervention is deemed necessary in this case.

The appeal is disposed off with no further directions.

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

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S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
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