

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/2021/110455**  
**CIC/BARCM/A/2021/110457**  
**CIC/BARCM/A/2021/110456**  
**CIC/BARCM/A/2021/110458**  
**CIC/BARCM/A/2021/110459**  
**CIC/BARCM/A/2021/110460**  
**CIC/BARCM/A/2021/110461**

Smt. Lata Gangaram Koli

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO, Chief Administrative Officer(A)

...प्रतिवादीगण / Respondent

Bhabha Atomic Research Centre, Mumbai

Through: Shri B V Balaji- PIO/Chief Admn.  
Officer(A)

Date of Hearing : 04.07.2022

Date of Decision : 04.07.2022

**Chief Information Commissioner : Shri Y. K. Sinha**

**Relevant facts emerging from appeal:**

***Since both the parties are same, the above mentioned cases are clubbed together for hearing and disposal.***

Case No.	RTI Filed on	CPIO reply	First appeal	FAO	2 <sup>nd</sup> Appeal received on
<b>110455</b>	21.07.2020	26.08.2020	15.09.2020	04.11.2020	08.03.2021
<b>110457</b>	21.07.2020	26.08.2020	15.09.2020	28.10.2020	08.03.2021
<b>110456</b>	21.07.2020	26.08.2020	15.09.2020	04.11.2020	08.03.2021
<b>110458</b>	21.07.2020	28.08.2020	15.09.2020	28.10.2020	08.03.2021
<b>110459</b>	21.07.2020	28.08.2020	15.09.2020	28.10.2020	08.03.2021
<b>110460</b>	21.07.2020	28.08.2020	15.09.2020	28.10.2020	08.03.2021
<b>110461</b>	21.07.2020	26.08.2020	15.09.2020	28.10.2020	08.03.2021

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

**(1) CIC/BARCM/A/2021/110455**

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 26.08.2020 replied as under:-

Date of receipt of Application fee		29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997979 65C 997980
Sr. No.	Information Sought	Information Given		
c)	In the year 1970 to year 1980 Furnish Bank/s accounts number address of Bank where Superannuation Pension of Shri Madhukar BhagwanRumde, Ex- BARC officer credited/transferred by BARC till his death in year 2007.	The information sought relates to personal information and the disclosure of the same does not serve any larger public interest, hence exempt under section 8(1)(j) of the RTI Act, 2005.		
d)	Furnish Bank/s accounts number address of Bank where Family Pension of his widow Smt. Malati Madhukar Rumde from death of Late Shri Madhukar BhagwanRumde to till her death in 2012.			

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 04.11.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the abovementioned facts.

**(2) CIC/BARCM/A/2021/110457**

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 26.08.2020 replied as under:-

Date of receipt of Application fee		29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997975 65C 997976
Sr. No.	Information Sought	Information Given		
a)	In the year 1970 to year 1980 Furnish month to month Superannuation Pension disbursed to Shri Madhukar Bhagwan Rumde, Ex- BARC officer from his retirement date to till his death in year 2007.	Information sought cannot be provided due to non-availability of data regarding details of Pensioner like Employee No., C.C. No., Designation, Pension Payment Order No., Date of Retirement, etc.		
b)	Furnish month to month Family Pension disbursed to his widow Smt. Malati Madhukar Rumde from death of Late Shri Madhukar Bhagwan Rumde to till her death in the year 2012.			

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 28.10.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the facts as discussed hereinabove.

### (3) CIC/BARCM/A/2021/110456

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 26.08.2020 replied as under:-

Date of receipt of Application fee	29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997977 65C 997978
Information Sought		Information Given	
In the year 1970 to year 1980  Furnish the details of Housing loan granted by BARC or any bank to Shri Rajesh Madhukar Rumde, BARC Employee No. 6959, Tech F, Trombay for purchase of flat with copies of relevant documents for the same available with BARC record.		No such information is available in this Centre.	

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 04.11.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the facts, as mentioned above.

### (4) CIC/BARCM/A/2021/110458

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 28.08.2020 replied as under:-

Date of receipt of Application fee	29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997973 65C 997974
Sr. No.	Information Sought	Information Given	
	In the year 1970 to year 1980		
a)	Furnish list & names of family members of Shri Madhukar Bhagwan Rumde on medical registration in the year 1970.	The information sought relates to personal information and the disclosure of the same does not serve any larger public interest, hence exempt under section 8(1)(j) of the RTI Act, 2005.	
b)	Furnish list & names of family members of Shri Madhukar Bhagwan Rumde on medical registration in the year 1980.		

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 28.10.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the facts, mentioned hereinabove.

**(5) CIC/BARCM/A/2021/110459**

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 28.08.2020 replied as under:-

Date of receipt of Application fee		29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997971 65C 997972
Sr. No.	Information Sought	Information Given		
a)	Year 2019 to till date Furnish copies of action taken reports on my 2 complaints dated 27.11.2019 and 09.07.2020.	On receipt of complaint dated 27.11.2019 (complaint received in this office on 11.02.2020) a show cause Memo dated 03.03.2020 was issued to Shri Rajesh M. Rumde. The complaint dated 09.07.2020 from Smt. Lata Gangaram Koli has not been received in this office so far.		
b)	Copies of explanation given by Shri Rajesh Madhukar Rumde, BARC Employee No 6959, Tech F, Trombay with copies of proof submitted.	Shri Rumde has submitted his explanation on 17.03.2020. A copy of the same is enclosed (2 pages)		

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 28.10.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the aforementioned facts.

**(6) CIC/BARCM/A/2021/110460**

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 28.08.2020 replied as under:-

Date of receipt of Application fee		29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997969 65C 997970
Sr. No.	Information Sought		Information Given	
a)	Year 1992 to 2012 Furnish copies of complaints lodged by Shri Madhukar Bhagwan Rumde, Ex-BARC Officer and his wife Late Smt. Malati Madhukar Rumde against Shri Rajesh Madhukar Rumde, BARC Employee No 6959, Tech F, Trombay in their life time.		No such information is available in the personal records of Shri Rajesh Madhukar Rumde (son of Late Shri Madhukar Bhagwan Rumde), Tech /F, Emp. No. 6598, NG/408/293, UED, BARC.	
b)	Furnish action taken report on above complaints with copies of explanation furnished by Shri Rajesh Madhukar Rumde.			

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 28.10.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the facts.

**(7) CIC/BARCM/A/2021/110461**

The Appellant filed an RTI application dated 21.07.2020 which was responded to by the CPIO/Chief Administrative Officer (A) vide letter dated 26.08.2020 replied as under:-

Date of receipt of Application fee		29.07.2020	Draft/Cash/IPO Receipt No:	IPO No. 65C 997967 65C 997968
Sr. No.	Information Sought		Information Given	
1.	In the year 2006 to year 2013 Furnish copy of Death Certificate of Late Shri Madhukar Bhagwan Rumde, Ex- BARC officer expired in the year 2007 available on the record of BARC.		The information sought relates to personal information and the disclosure of the same does not serve any larger public interest, hence exempt under section 8(1)(j) of the RTI Act, 2005.	
2.	Furnish copy of Death Certificate of his widow Late Smt. Malati Madhukar Rumde expired in year 2012 available on the record of BARC.			

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 15.09.2020. The FAA/Controller BARC vide order dated 28.10.2020 upheld the reply of the CPIO.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission dated 29.06.2022 has been received from the Respondent reiterating the facts noted hereinabove.

A written submission dated 25.06.2022 has been received from the Appellant authorising her husband to represent her during hearing.

Further submissions dated 30.06.2022 have been filed by the Appellant narrating the background of a long drawn family dispute of the Appellant with her brothers regarding the properties left behind by their father late Shri MadhukarRumde, who was an employee of the Respondent organisation. Among the various arguments, the Appellant has stated that she is the daughter and legal heir of late Shri Madhukar Rumde and his wife late Smt. Malati Madhukar Rumde and is the sister of Shri Rajesh Madhukar Rumde. It is her contention that since she has sought information pertaining to her deceased parents and her brother, who is currently employed with the Respondent, she is entitled to the same as a family member and it cannot be denied to her as third party.

Hearing was scheduled through video conferencing after giving prior notice to both the parties. Respondent alone attended the hearing through video conference, while the Appellant remained absent and has not communicated the cause of absence to the Commission, despite service of notice in advance.

**Decision:**

Perusal of records of the aforementioned appeals reveals that the Respondent has acted well within the precincts of the RTI Act and furnished information from available official records, applying relevant provisions of the Act to deny information which is legally exempt from disclosure. The Commission finds no legal infirmity in the replies furnished by the Respondent and hence the replies are duly upheld. The submissions sent by the Appellant reveal that the aforementioned appeals are borne out of a family dispute, which cannot be adjudicated within the ambit of the RTI Act. Moreover, the Appellant has chosen not to buttress the cases despite service of hearing notice. Hence the Commission is of the considered opinion that no fruitful purpose will be served in prolonging litigation of these appeals. The Appellant is advised to approach the appropriate forum to resolve her dispute.

In the given circumstances, since the information as permissible under the RTI Act stands disseminated, no cause of action survives anymore which needs to be adjudicated under the Act.

Hence the appeals are disposed off as such.

**Y. K. Sinha (वाई. के. सिन्हा)**

Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy

(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)

Dy. Registrar (उप-पंजीयक)

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