

Central Information Commission
File No.CIC/SM/A/2009/000404 dated 24-07-2008
Right to Information Act-2005-Under Section (19)

Dated: 10 March 2010

Name of the Appellant : Shri M.G. Pednekar
Fireman/B,
Fire Services Section/CHED,
BARC, Mumbai - 400 085.

Name of the Public Authority : CPIO, Bhabha Atomic Research Centre,
Central Complex,
3rd Floor, BARC,
Trombay, Mumbai 400 085.

The Appellant was present in person.

On behalf of the Respondent, Shri Govardhan Rao, PIO was present.

253

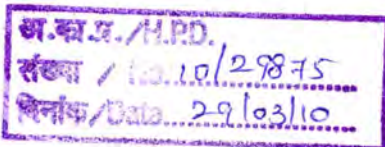
2. In this case, the Appellant had, in his application dated 24 July 2008, requested the CPIO for the copies of the recommendations of the Standing Fire Advisory Council of the Ministry of Home Affairs (MHA) and other relevant rules and instructions applicable to the BARC Fire Services section at the time of grade promotions. In his reply dated 8 August 2008, the CPIO informed him that he should approach the Ministry of Home Affairs for a copy of the recommendations since it was that Ministry which had issued these. Not satisfied with this reply, he preferred an appeal on 5 September 2008. The Appellate Authority disposed of the appeal in his order dated 7 October 2008 further stating that the recommendations being classified documents could not be made available to the Appellant. Against this order, he has come to the CIC in second appeal.

306

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3. We heard this case through videoconferencing. Both the parties were present in the Mumbai studio of the NIC. After hearing their submissions, we are of the view that the desired information should be provided even if the recommendations of the MHA are termed classified. Recommendations regarding physical assessment of candidates/employees for fire services can

CIC/SM/A/2009/000404



Mr. SDM
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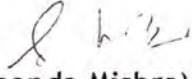


hardly be termed as of such strategic nature to be categorised as classified documents. We are of the view that both the CPIO and the Appellate Authority were wrong in their conclusions in refusing to disclose the desired information.

4. We now direct the CPIO to provide to the Appellant within 10 working days from the receipt of this order a copy of the said recommendations of the standing fire advisory Council of the MHA and also to mention the web address of the BARC in which all the rules and regulations governing grade promotions in the fire services section are to be found.

5. With the above direction, the appeal is disposed off.

6. Copies of this order be given free of cost to the parties.


(Satyananda Mishra)
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.




(Vijay Bhalla)
Assistant Registrar