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/2024/620834.**

Shri. V. Konda Naik. ... अपीलकर्ता/Appellant

VERSUS/बनाम

PIO, ...प्रतिवादीगण /Respondent
Bhabha Atomic Research Centre.

Date of Hearing	:	20.06.2025
Date of Decision	:	20.06.2025
Chief Information Commissioner	**:**	**Shri Heeralal Samariya**

Relevant facts emerging from appeal:

RTI application filed on	:	28.02.2024
PIO replied on	:	22.03.2024
First Appeal filed on	:	22.03.2024
First Appellate Order on	:	08.05.2024
2nd Appeal/complaint received on	:	17.05.2024

Information sought and background of the case:
The Appellant filed an RTI application dated 28.02.2024 seeking information on following points:-

> *"1 Certified Copy of Action Taken Status at Under Secretary (SCS), Department of Atomic Energy, Mumbai HWB ID.Note.HWB/R/18(3)/2018/2306/457 Dated 22.01.2020 of administrative officer, Heary Water Board Mumbai addressed To Under Secretary (SCS), Department of Atomic energy In Connection file noting, correspondence related document may please provide during the period from 22.01.2020 to till date*
> *Certified Copy of File noting, Correspondence, Approval and related documents In Connection with order No TC/1616/2009/52468 Dated 05.06.2009 of Secretary TC & Member Secretary, TSC, Bhabha Atomic Research Centre, TC&TSC Section may please provide*
> *3. Certified Copy of the Heavy Water Plant (Manuguru) Category -II Trainees 15th Batch Minutes of Meting (MOM) may please provide.*
> *4. Certified Copy of the Heavy Water Plant (Manuguru) Category -11 Trainees 16th Batch Minutes of Meting (MOM) may please provide*
> *Etc."*

The CPIO, Chief Administrative Officer vide letter dated 22.03.2024 replied as under:-

> *"As informed by deemed PIO, norms & guidelines related to S&T personnel are issued with the approval of Trombay Council. Trombay*

Council Minutes contain matters which are confidential & strategic in nature hence the information sought is exempted under section 8(1) (a) of the RTI Act. 2005."

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 22.03.2024. The FAA, Actg. Controller vide order dated 08.05.2024 replied as under:-

"6. After going through all the relevant documents and considering the factual matrix of the case, it is observed that PIO has rightly stated that the information sought is exempted under section 8(1)(a). of RTI Act, 2005. The information sought by the Appellant (i.e. certified copy of file noting. correspondence, approval and related documents in connection with Order No TC/1616/2009/52468 dated 05.06.2009)contain matters which are confidential & strategic in nature hence disclosure of such information is exempted. However, a copy of DAE approval dated 01.06.2009 in this regard is attached.
8. THEREFORE, I do not find any further scope for review or intervention on this appeal.
9. AND NOW THEREFORE the appeal of Shri Konda Naik stands disposed of."

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

Written submission dated 10.06.2025 has been received from the CPIO and same has been taken on record for perusal. The relevant extract whereof is as under:

"..5. The Appellant has now preferred a second appeal to the Hon'ble CIC stating that the First Appellate Authority has not furnished clear, cogent, and precious information and provided with partial information.
6. In view of the above, the following points are respectfully submitted before Hon'ble CIC for consideration as under.
It is observed that the appellant has requested to provide certified copy of file noting, correspondence, approval and related documents in connection with order No TC/1616/2009/52468 dated 05.06.2009 of Secretary TC & Member Secretary, TSC, BARC, under RTI Act, 2005. It was rightly informed that the norms and guidelines related to Scientific and Technical Personnel are issued with the approval of Trombay Council, BARC. The Trombay Council Minutes contain matters which are confidential and strategic in nature and hence the information sought is exempted from disclosure under Section 8(1)(a) of RTI Act, 2005.
Further, the information sought by the applications pertaining to the file noting, minutes of the meeting and correspondence, which were recorded as part of internal deliberations held in a fiduciary capacity. In view of above, the information sought by the applicant is exempted from disclosure as per Section 8(1)(e) of the RTI Act, 2005. Also, in this case no larger public interest warrants it or has been demonstrated. Therefore, the request of applicant was denied.
Further kindly submitted that, a copy of DAE approval dated 01.06.2009 in connection with Decision no. TC/1616/2009/52468

dated 05.06.2009, which has more public interest, already been provided to the Appellant along with the Appellate Order.
7. The above submissions are respectfully placed before the Hon'ble Commission…"

Facts emerging in Course of Hearing:

Appellant: Present through video-conferencing.

Respondent: Mr. Stanley M K, PIO/ Scientific Officer 'F' – participated in the hearing through video-conferencing.

The Appellant stated that the relevant information has not been furnished to him till date. He further stated that the complete file noting, correspondence, approval and related documents in connection with order No. TC/1616/2009/52468 has not been provided by the PIO. He stated that the information sought has been denied on frivolous grounds of section 8(1)(a) and 8(1)(e).

The Respondent stated that the relevant information as available in their records has been duly provided to the Appellant. He stated that a copy of DAE approval dated 01.06.2009 in connection with decision no. TC/1616/2009/52468 dated 05.06.2009, which has more public interest, already been provided to the Appellant along with the Appellate Order.

Decision:
Upon perusal of records and submissions made during hearing, it is noted that the Appellant's queries had been appropriately answered by concerned PIO. Furthermore, written submission filed by the Respondent is comprehensive and self-explanatory. Thus, information as permissible under the provisions of the RTI Act has been duly furnished to the Appellant. In the given circumstances, no further intervention of the Commission is warranted in this case under the RTI Act. The appeal is disposed of accordingly.

Heeralal Samariya (हीरालाल सामरिया)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
011-26186535

Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-

Nil