

APU
BA
8/4/14
Smt M



Central Information Commission
Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan,
Bhikaji Cama Place, New Delhi-110066
Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/SM/A/2013/000913-SS
March 24, 2014

Appellant : Shri M.G. Pednekar
Respondents : Bhabha Atomic Research Centre
Date of Hearing : 24.03.2014

ORDER

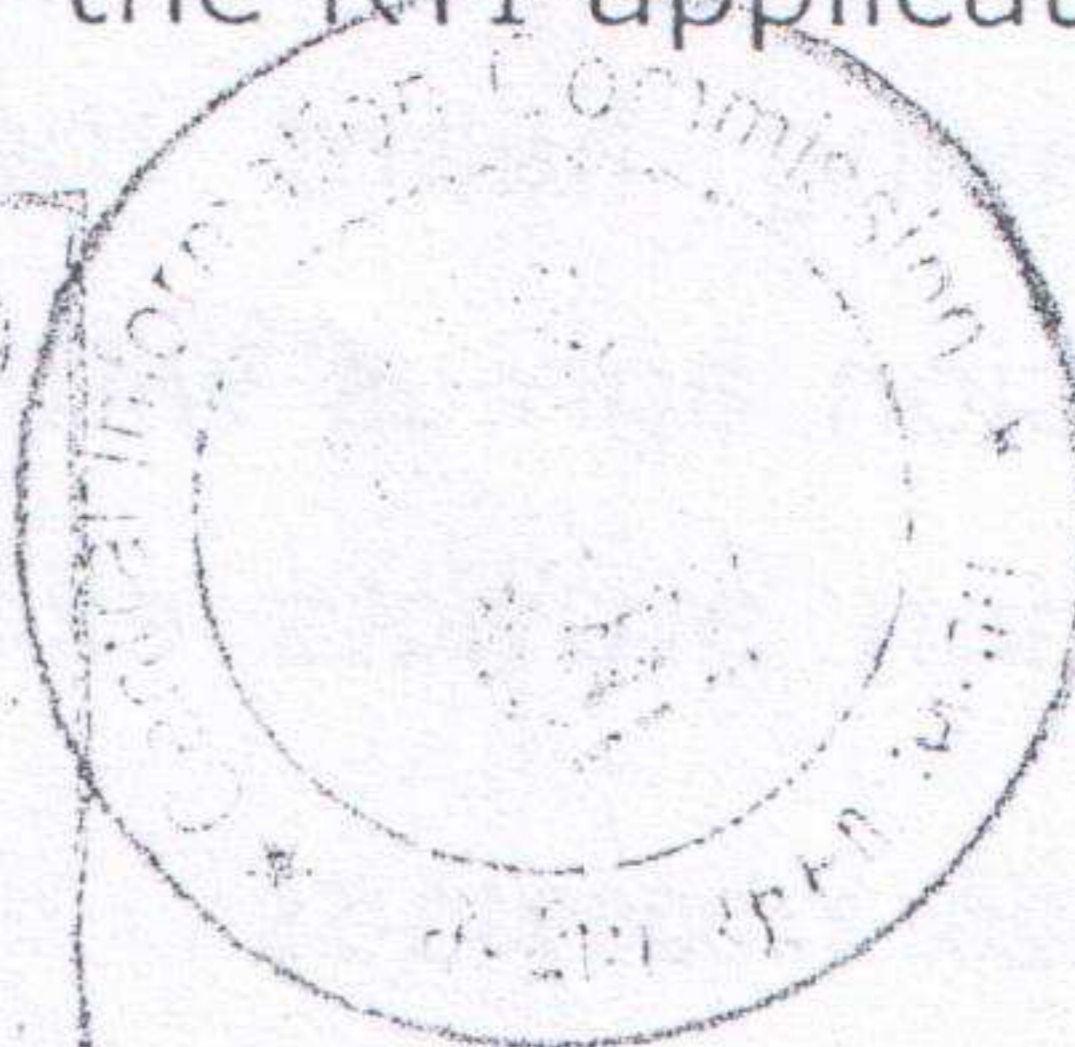
The present appeal, filed by Shri M.G. Pednekar against Bhabha Atomic Research Centre, was taken up for hearing via videoconferencing (VC) on 24.03.2014 when the Respondents were present at VC studio of BARC, Mumbai through Shri V. Govindankutty, CPIO. The Appellant was present at NIC VC facility at Mumbai.

2. The Appellant through an RTI application dated 10.01.2013 sought information against 7 points regarding the procedure for dealing with and disposal of complaints received from employees of the BARC. He specifically sought the information in respect of the complaint dated 20.03.2012 filed by the commuters of Kharigaon/Kalwa/Airoli BARC bus to Personnel Division.

3. The CPIO vide his letter dated 08.02.2013 furnished point-wise reply to the Appellant, while also offering the inspection of records to the Appellant in respect of point Nos. 5 to 7 of the RTI application. The CPIO

CIC/SM/A/2013/000913-SS

REGISTRATION/CAO (P)
14/49740
REGISTRATION/No.
8.4.14
REGISTRATION/Date



however mentioned that the inspection would be allowed after "masking the identity of individuals concerned, the disclosure of the same might be risky for the safety of the individuals concerned, as per CIC decision No. CIC/SM/A/2012/000945 dated 03/12/2012 and Section 10(1), Section 8(1)(g) of the RTI Act, 2005".

4. The Appellant thereafter filed the instant appeal before the Commission inter alia stating that the inspection of the records has been made available to him on 13.03.2013. However after the inspection of records, copy of complaint along with names and signature of complainants, their witnesses, notings, statements, observations etc has not be provided to him. He also mentioned that he filed an appeal dated 04.04.2013 before the Appellate Authority which was also disposed of by him upholding the CPIO's contention. The Appellant however did not enclosed copies of his first appeal and the order of the Appellate Authority with his present appeal.

5. During the hearing, the Respondents inform the Commission that there was a complaint against the Appellant regarding misbehavior by him with his fellow travelers in the bus of BARC. The Appellant now wants to know the names and addresses of the persons who had filed the complainants against him. This information they have denied under section 8(1)(g) of the RTI Act. They also, in support, cite the Commission's decision in case No. CIC/SM/A/2013/00455-DS dated 30.10.2013 in similar appeal filed by the present Appellant. The Appellant, on his part, insists that he be provided with the names and addresses of the complainant as he is a Government servant and there is no threat to the physical safety of the complainants by him.

6. Having heard the submissions and perused the records, the Commission agrees with the Respondents that disclosure of information in question attracts exemption under section 8(1)(g) of the RTI Act.

Therefore, no disclosure can be allowed with regard to the information in question.

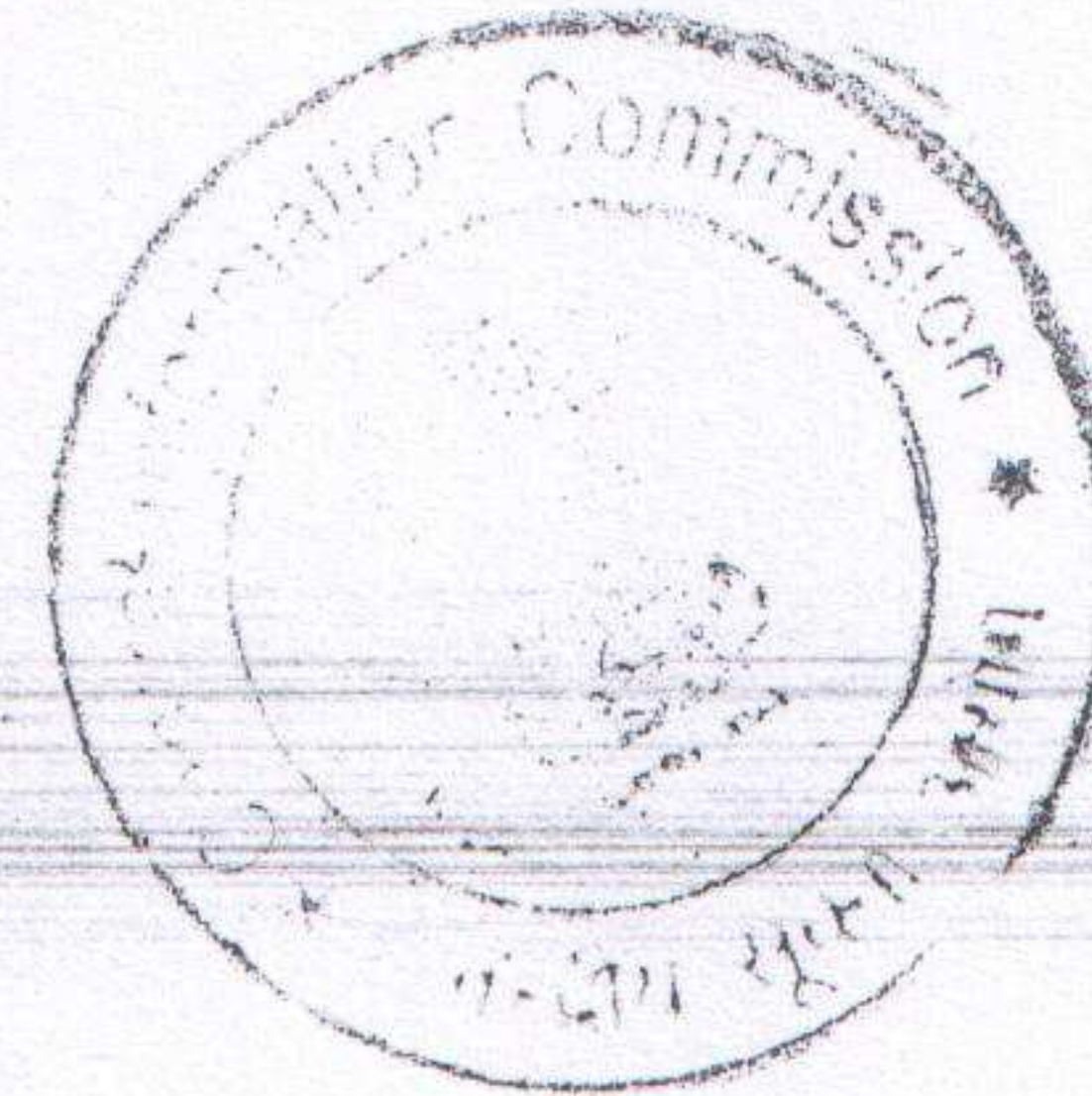
7. Appeal is rejected.

Sushma Singh

(Sushma Singh)
Chief Information Commissioner

Authenticated by

(Signature)



(D.C. Singh)
Deputy Registrar

Address to the Parties:

1. Shri M.G. Pednekar
Fire Service Station
Bhabha Atomic Research Centre
Central Complex, 3rd Floor
BARC, Trombay
Mumbai 400 085
2. The Central Public Information Officer (RTI)
& Director (P&A)
Bhabha Atomic Research Centre
Central Complex, 3rd Floor
BARC, Trombay
Mumbai 400 085
3. The Appellate Authority (RTI)
Bhabha Atomic Research Centre
Central Complex, 3rd Floor
BARC, Trombay
Mumbai 400 085