

केन्द्रीय सूचना आयोग
Central Information Commission
बाबागंगनाथमार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नईदिल्ली, New Delhi - 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/BARCM/A/2022/626548**

Shri Samir Sardana

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO, Bhabha Atomic Research Centre

...प्रतिवादीगण / Respondent

Date of Hearing : 11.01.2024

Date of Decision : 12.01.2024

Chief Information Commissioner : Shri Heeralal Samariya

Relevant facts emerging from appeal:

RTI application filed on : 02.03.2022

PIO replied on : 30.03.2022

First Appeal filed on : 05.04.2022

First Appellate Order on : 06.05.2022

2ndAppeal/ complaint received on : 12.05.2022

Information sought and background of the case:

The Appellant filed an RTI application dated 02.03.2022 seeking information on the following points:-

“Desalination

PIO to state the name, number and location of desalination plants set up by BARC, to date which are in operation, as of the end of FY 2021

PIO to state the source of the water being treated w.r.t. each of the desalination plants (ex.sea water, brackish/saltish water, waste water of NPP)

PIO to provide the proforma accounts of the desalination plants, for the last 3 years, for which the proforma accounts are prepared

PIO to provide the cost of the potable water (per litre) by each of the desalination plants of BARC, in the 2 years ending on FY 2021

PIO to provide the following operating parameters w.r.t each of the desalination plants of BARC, in the 2 years ending on FY 2021

- *Power Consumed, Source of Power (MAPS/ Grid), Steam Consumed, Source of Steam, Water Consumed, Source of water*

PIO to state the names of the entities to whom BARC has sold or licensed the Desalination technology in the last 7 years

Projects

BARC to state the details of the Capital expenditure projects INITIATED, in the last 7 years, of a value, in excess of Rs 3 crores each, as under:

DE (SRD)
 AL (SRD)
 HHT
 15/01/24

Smt. Geeta
 22.01.2024

- Year of initiation, Amount Budgeted, Expected date/month/year of completion, Actual date/month/year of completion

He further sought information about ongoing and concluded litigations of BARC as of March 2021, tenders, vendor action, accidents, insurance etc.

The CPIO vide letter dated 30.03.2022 responded in a point wise manner stating as under:-

*“Information sought is not clear. Viz: FY-2021.
Information is not available in material form
Information sought is not clear Viz: FY-2021.
(i) M/s Acoustics India Pvt. Ltd. Tamil Nadu.
(ii) M/s Ador Welding Ltd. Pune
Information sought is not available in material form.
Information sought is not available in material form.”*

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 05.04.2022. The FAA vide order dated 06.05.2022 upheld the reply of the CPIO.

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

Facts emerging in Course of Hearing:

Hearing was scheduled after giving prior notice to both the parties.

A written submission dated 05.01.2024 has been received from the PIO, BARC reiterating the aforementioned reply dated 30.03.2022 and the detailed self explanatory order dated 06.05.2022 passed by the FAA.

The Appellant has filed detailed written submission which has been duly taken on record.

Hearing was scheduled after giving prior notice to both the parties.

Appellant: Present through Video conference

Respondent: Shri B V Balaji – CPIO and Shri P K Sharma were present from BARC through video conference.

Both parties placed forth their respective contentions in terms of the facts discussed hereinabove. The Appellant contended that he has been wrongly denied information by the Respondent.

The Respondent reiterated their reply and stated that information which could be furnished in terms of provisions of the RTI Act, had been duly furnished to the Appellant.

Decision:

In the light of the records submitted and contentions made by the parties, no legal infirmity is found in the response provided by the Respondent. The Respondent has furnished information available on record with them, as defined under Section 2(f) of the RTI Act and hence the reply is appropriate and well within the terms of the provisions of the RTI Act. Thus, no further intervention is warranted in this case, under the RTI Act.

The appeal is disposed off accordingly.

Heeralal Samariya ([REDACTED])

Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

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

