

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/2021/121635**
CIC/BARCM/A/2021/624761

Shri Gururaj Kulkarni

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO

...प्रतिवादीगण / Respondent

Bhabha Atomic Research Centre, Trombay,
Mumbai

Date of Hearing : 18.08.2022

Date of Decision : 24.08.2022

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 nd Appeal received on
121635	20.02.2021	18.03.2021	20.03.2021	29.04.2021	08.06.2021
624761	20.02.2021	18.03.2021	20.03.2021	29.04.2021	16.06.2021

Information sought and background of the case:

(1)CIC/BARCM/A/2021/121635

(2)CIC/BARCM/A/2021/624761

The Appellant filed an online RTI application dated 20.02.2021 and the CPIO/Chief Administrative Officer, Bhabha Atomic Research Centre, Trombay, Mumbai vide letter dated 18.03.2021 replied as under:-

Date of receipt of Application fee	20.02.2021	Draft/Cash/IPO Receipt No:	Online
Information Sought		Information Given	
1	Please furnish supporting documents on the basis of which I have been issued a letter 30/STPT/2018-TC/14189 dated 24.10.2019	The requested document is enclosed. (Annexure - I) - 01 page	

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 20.03.2021. The FAA/Actg. Controller, Bhabha Atomic Research

Centre, Trombay, Mumbai vide order dated 29.04.2021 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:

A detailed written submission has been received from the CPIO cum Chief Administrative Officer (1), BARC, Mumbai dated 16.08.2022 which has been taken on record.

The Appellant participated in the hearing through video conference. He stated that the document on the basis of which BARC concluded that the Diploma degree obtained by him was through distance education mode was not provided till date. He argued that the DTE Bangaluru and Government Polytechnic College Joida both confirmed that the diploma course completed by him was AICTE approved.

The Respondent represented by Shri B V Balaji, Chief AO, BARC, Mumbai participated in the hearing through video conference. He stated that the information as per available record was provided to the Appellant. He added that vide his application, the Appellant desires redressal of his personal grievance which is beyond the purview of the RTI Act, 2005.

Decision:

Keeping in view the facts of the case and the submissions made by both the parties, the Commission is of the view that an appropriate response as per the provisions of the RTI Act, 2005 has been provided by the Respondent. As per the provisions of the Act, the CPIO is not obliged to give opinions/ clarifications, interpretations and only such information that is held and available with the public authority can be provided. Hence, no further intervention of the Commission is required in the instant matter. For redressal of his grievance, the Appellant is advised to approach an appropriate forum.

With the above observation, the instant Second Appeal stands disposed off accordingly.

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)
011-26186535