

CENTRAL INFORMATION COMMISSION

Application No CIC/WB/A/2006/00006

Dated: March 2,2006

Right to Information Act – Section19

Name of Applicant: PK Rout

Name of Public Authority: Indian Rare Earths Ltd

Facts:

Shri PK Rout ,Senior Security Officer of Indian Rare Earths Ltd. asked for the following information from the CPIO, India Rare Earths:

- i. Copy of a notification published in the Employment News Nov 2002
- ii. Recruitment & Promotion Policy, 2002
- iii. Panel of names of interviewees and merit list
- iv. Copy of recommendations of selection committee and approval.

This application was refused both at the PIO and appellate levels since it concerned matters that are sub-judice in case WP(C)26233/2005 pending in the High Court of Kerala.This view was upheld by the appellate authority.

During the hearing CPIO Prasantha Kumar was present. Appellant had chosen to stay away. CPIO presented a detailed written reply which is on the file. In his arguments, Shri Kumar stated that the information was refused only as a measure of 'abundant caution' as mentioned in his reply to the appeal, in light of the matter being sub-judice. Otherwise the Organisation had no objection to release of the information sought.

On examination of the file we find that there is nothing in the information sought that would be violative of exemptions under Sec 8 (b) or 8(h), as it is public information disclosure of which can hardly impede investigation, or prosecution

DECISION

The information applied for may be made available to the appellant within ten days of the issue of this decision.

Let a copy of this order be sent free of cost to the parties.

(Padma Balasubramanian)
Information Commissioner

(Wajahat Habibullah)
Chief 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:

(P. K. Gera)
Registrar
2/3/06