

Central Information Commission
File No.CIC/SM/A/2009/000535 dated 26-08-2008
Right to Information Act-2005-Under Section (19)

Dated: 3 March 2010

Name of the Appellant : Dr. Supratic Chakraborty
Microelectronics Division,
Saha Institute of Nuclear Physics,
1/AF, Bidhannagar, Kolkata - 700 064.

Name of the Public Authority : CPIO, Microelectronics Division,
Saha Institute of Nuclear Physics,
1/AF, Bidhannagar, Kolkata - 700 064.

The Appellant was present in person.

On behalf of the Respondent, the following were present:-

- (i) Shri Bhattacharya,
- (ii) Shri Devi Prasad,
- (iii) Shri Rao,
- (iv) Shri Gupta,
- (v) Shri P. Mukherjee,
- (vi) Smt. Bharti Chauhan

2. In this case, the Appellant had, in his application dated 26 August 2008, requested the CPIO for a number of information concerning the Shah Institute of Nuclear Physics (SINP). In his reply dated 31 October 2008, the CPIO provided all the information except one which he claimed was not available. Not satisfied with the response of the CPIO, he preferred an appeal on 5 November 2008. The Appellate Authority disposed of the appeal on 25 November 2008 in which he directed the CPIO to provide the specific information sought by the Appellant. Following this direction, the Director of the SINP wrote to the Appellant on 20 January 2009 providing further information against his queries. In his second appeal to the CIC, the Appellant has stated that he is yet to get the desired information against most of his queries.

3. We heard this case through videoconferencing. The Appellant was present in the Kolkata studio of the NIC while the Respondents were present both in the Kolkata and Mumbai Studios. We heard their submissions. It is

clear from the account given by the CPIO that the various bylaws and recruitment rules of the SINP had been approved only by the Governing Council of the Institute and not separately by the Government of India (DAE). All that the Appellant had sought were the copies of such documents as approved by the Government of India and he is dissatisfied since neither the CPIO nor the Appellate Authority had explained to him clearly if the documents provided by them had actually been approved by the Government of India (DAE) or only by the Governing Council. Therefore, we now direct the CPIO to write to the Appellant within 10 working days from the receipt of this order stating clearly if the bylaws framed after 1992 and the recruitment norms modified from time to time had received the Government of India (DAE) approval or this had only been approved by the Governing Council of the Institute which the SINP deemed to be the approval of the Central Government.

4. With the above direction, the appeal is disposed off.
5. Copies of this order be given free of cost to the parties.

(Satyananda Mishra)
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.

(Vijay Bhalla)
Assistant Registrar