

# FIRST APPEAL UNDER SECTION 19(1) OF THE RIGHT TO INFORMATION ACT 2005



To:-  
 Shri. K Jayakumar  
 Actg. Controller and Appellate Authority,  
 BARC, 6<sup>th</sup> Floor, Central Complex,  
 Trombay, Mumbai – 400 085  
 E mail: [controff@barc.gov.in](mailto:controff@barc.gov.in)

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SI No	Details	Appeal made
1	Name of the applicant	Y.S. Mallikarjunaiah
2	Fathers name	Y. B. Shivarudrappa
3	Present Address with e-mail/Telephone number for correspondence	Y.S. Mallikarjunaiah No. 59, 3 <sup>rd</sup> Main, 3 <sup>rd</sup> Cross, Bank Colony, Off Ring Road Bogadi, Mysuru Karnataka state – 570026 E mail; subhama61@gmail.com Mobile No 8861820395
4	Particulars of the Central Public Information Officer a) Name b) Address	Shri. Sriram S Chief Administrative Officer (A) & Public Information Officer BARC, 3 <sup>rd</sup> Floor, central Complex Trombay, Mumbai – 400085 E mail: <a href="mailto:caoa@barc.gov.in">caoa@barc.gov.in</a>
5	Date of submission of application for seeking information	31-03-2021
6	Date on which 30 days for submission of application are over	29-04-2021
7	Reason for appeal:-  a) Aggrieved by the response received with in the specified period b) grounds for Appeal	a) Yes. Aggrieved by the response received within specified period.  b) <b>Grounds for Appeal:</b> RTI with reference to BARC advertisement No 1/2001/R-III.  A copy of the list of names of govt appointed employees in 2004 against the above said advertisement AND converted in to old pension scheme under CCS (pension) rules 1972.

		<p>You may please note that you have released the names of list of candidates suitable for appointment as ASO/A in the order of merit (selection panel) vide your RTI reply RTI/BARC/2021/5742/2488 dated 15-03-2021.</p> <p>I may please be permitted to inspect the record of list of govt employees appointed vide above said advertisement appointed in 2004 AND converted in to old pension scheme under CCS (pension) rules 1972 by masking all personnel information of the individual vide RTI act chapter 1(j)(i).</p> <p>In turn PIO of BARC has replied vide RTI letter number BARC/RTI/2021/04/5922/3880 dated 03.05-2021 stating that information is provided vide RTI letter number BARC/RTI/2020/12/5684/937 dated 21.01.2021, <u>where as in the reply only 07 employees in number is only mentioned instead of personnel names.</u> Therefore, as an applicant/employee I am deprived of information to know exactly where is my position since all the employees recruited in 2004 mentioned in the BARC issued seniority list of ASO/A as on 01-01-2006 have been already converted in old pension system except me including my juniors as per the panel.</p> <p>It is further informed by PIO stating that information available is in the personnel file of the employees concerned and it may not be practically possible to mask all personnel information and allow inspection of documents from the files of employees. Hence exempt from disclosure under section 8(1)(j) of RTI Act. (requested here is only consolidated common list of employees)</p>
8	Last date for filling of appeal	29-05-2021
9	Whether required fees has been paid	Yes, paid
10	Particular information requested and period	<p>Applicant is requesting only the common list names of government employees recruited in 2004 vide advt 1/2001/R-III and not their personnel information ( whereas in the similar case in one more RTI list of suitable candidates' names eligible and placed in the panel is already provided) Now also only the names of employees appointed in 2004 and converted in to old pension system under CCS pension (Rules) 1972 is requested and same is being denied stating as personnel information which is not true.</p>

		<p><i>As per the available seniority list with me, there are total 18 personnel appointed against advertisement in 2003 and 2004 (BARC seniority list copy enclosed) and except me alone all other employees of the selection panel including 2003 &amp; 2004 recruitment have been converted in to old pension scheme under CCS (pension) rules 1972 by which I am only has been deprived of the privileges provided by the latest Government order.</i></p> <p><b>Therefore, you are requested to instruct Public Information Officer, BARC to provide only list of employee names (not their personnel information) recruited in 2004 and converted in to old Pension scheme as per latest government order to know exactly where my position is as per the list and the same is being denied even after repeated RTI request.</b></p>
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Date: - 21-05-2021

Place: - Mysore

  
Y.S. Mallikarjunaiah)  
Appellant

Enclosures: -

- 1) Copy of RTI application dated 31-03-2021.
- 2) Copy of the RTI reply of BARC letter No BARC/RTI/2021/04/5922/3880 dated 03-05-2021.
- 3) Copy of the List of names in the panel released by BARC vide RTI reply RTI/BARC/2021/5742/2488 dated 15-03-2021.
- 4) Copy of list of BARC ASO/A employee's seniority list (excluding not appointed/VRS/removed from service etc..) vide BARC/RMP letter number 03(13) (2)/RMP/2006/592 dated 21 March 2006. As per the list except me rest all have been cover under old pension system Ie.2003 recruitment & 2004 recruited converted in to ops.
- 5) Copy of RTI reply in which 7 members are converted in to Old pension system vide BARC RTI reply BARC/RTI/2020/12/5684/937 dated 21-01-2021.