

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

To: -
The Central Information Commissioner
CIC Bhavan
Baba Ganganath Marg,
Munirka,
New Delhi 110067

Sl No	Details	Appeal made
1	Name and address of the applicant	Y.S. Mallikarjunaiah No. 59, 3 rd Main, 3 rd Cross, Bank Colony, Off Ring Road Bogadi, Mysuru Karnataka state – 570026 E mail; subhama61@gmail. com Mobile No 8861820395
2	Name and address of the Central Public Information Officer to whom the applicant was addressed.	Shri. Sriram S Chief Administrative Officer (A) & Public Information Officer BARC, 3 rd Floor, central Complex Trombay, Mumbai – 400085 E mail: caoa@barc.gov.in
3	Name and address of the Central Information Officer who gave reply to the application.	Shri. Sriram S Chief Administrative Officer (A) & Public Information Officer BARC, 3 rd Floor, central Complex Trombay, Mumbai – 400085 E mail: caoa@barc.gov.in
4	Name & Address of the first Appellate authority who decided the first appeal	To:- Shri. K Jayakumar Actg. Controller and Appellate Authority, BARC, 6 th Floor, Central Complex, Trombay, Mumbai – 400 085 E mail: controff@barc.gov.in
5	Particulars of the application	RTI information request regarding names of the government employees appointed against advertisement no BARC/adv/1/2001-R-III appointed in 2004 with selection process completed before 31-12-2003 and converted in to old pension system as per the Government order.
6	Particulars of the order(s) including number if any against which appeal is preferred	Reply received from First Appellate Authority vide letter number BARC/RTI/2021/04//5922/5760 dated 9 th July 2021 stating that personal details of employees are exempted under RTI Act 2005 as details of joining, designation, promotion etc... are personnel in nature(where as requested the list of

		employees names only and not any other personal information to know my exact position in the list since rest all are converted except me as per the department seniority list.
7	Brief facts leading to the appeal	<p><u>Grounds for Appeal:</u></p> <p>RTI with reference to BARC advertisement No 1/2001/R-III. Particulars preferred for second appeal as the information sought for has not been furnished and furnished with partial information and denied to permit for inspection of records under RTI Act by PIO and same is justified by first appellate authority. Requested information is: -</p> <ol style="list-style-type: none"> 1. A copy of the list of names of govt. appointed employees in 2004 against advertisement No advt/1/2001_R-III and converted in to old pension scheme under CCS(pension) rules 1972 (as already a list of names provided in other RTI information) 2. I may also be permitted to inspect the record of list of govt. employees appointed in 2004 and converted in to old pension scheme under CCS(pension) rules 1972 by masking all personal information of the individuals if any vide RTI act chapter 1(j)(i). <p>All the personal against the above said panel have been appointed in 2003 and 2004 against the above said advertisement AND converted in to old pension scheme under CCS (pension) rules 1972 <i>except me</i> which is against equity & justice.</p> <p>Names of list of personnel who have been converted has been denied stating as exempted from disclosure and being given in numbers only in which I am not in a position to know my exact place in the list stating that information is available in individual employee's documents where as it is requested for common list of employees converted in to old pension system and not their filed. <i>Even when requested to allow in person to inspect the document under RTI chapter 1(J)(i) by masking the personnel information if any same is also denied (The list of candidates suitable for appointment as ASO-A in the order of merit obtained through another RTI is enclosed as Document-1).</i></p>
8	Prayer or relief sought	<p>a) Incomplete information provided by BARC against first RTI request and to my subsequent RTI request to provide only names on the same subject same denied stating that already replied by PIO.</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 & 2004 recruitment have been converted in to old pension</i></p>

		<i>scheme under CCS (pension) rules 1972 by which I am only has been deprived of the privileges provided by the latest Government order.</i>
9	Ground for the prayer or relief	<p>b) Incomplete information provided by BARC –PIO to first appeal and denial reply to second RTI request for only the list of names requested.</p> <p>c) First appellate is supported the reply of central public information officer.</p> <p><i>As per the available seniority list (in Document-1), there are total 18 personnel appointed against advertisement in 2003 and 2004 (BARC seniority list copy enclosed) and except me rest other employees of the selection panel including 2003 & 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 whereas my vacancy is shown against VRS in 2004 for 2001 notification and further when relevant information requested same is being denied.</i></p>
10	Any other information relevant to the appeal.	<p>Requesting for information to look in to the factual transparency of information since all personnel in the panel appointed in 2004 have been converted in to old pension scheme except me alone in the interest of equity & justice being denied to me and I am deprived of the privileges extend ended by the latest government order</p> <p>Therefore, you are requested to instruct Public Information Officer, BARC to provide only list of employee names (not their personal 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 requests.</p> <p>It may also be noted that my previous RTI, request of the same subject and its subsequent appeal was also denied by BARC vide RTI/2021/04/5922/5760 dated 9th July 2021. (RTI Application, Reply, RTI Appeal and Reply attached as Document-2)</p>
11	Verification/Authentication by the applicant	Applicant served in the BARC for 4 years and shifted to All India Institute of Speech & hearing Mysore and now superannuated and being denied while superannuating stating the vacancy date which is more than four years from the date of job notification

Date: - 04-08-2021

Place: - Mysuru


Y.S. Mallikarjunaiah)
Appellant

List of Enclosures

- Document-1 : Certified Copy of the list of candidates obtained via another RTI (In similar case now being denied) and a copy of List of provisional seniority list of Asst security officers issued by BARC/RMP vide letter No 03(13) (2)/RMP/2006/592 DATED 21 March 2006.
- Document-2: Copy of my initial RTI Application dated 21-12-2020 and the partial reply received dated 21-01-21 and Copy of my initial First Appeal dated 01-02-21 and the reply received dated 15.03.21