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GOVERNMENT OF INDIA

भाभा परमाणु अनुसंधान केंद्र

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Ref: BARC/RTI/2020/12/5684/2443

March 15, 2021

ORDER

WHEREAS Shri Y. S. Mallikarjunaiah, #58, III Cross, IIIrd Main, Bank Colony, Off Ring Road, Bogadi, Mysuru, Karnataka – 570 026 had submitted an RTI application dated 21.12.2020 requesting to provide the details of employees recruited in 2004 under NPS (National Pension Scheme) and permitted to switch over to pension scheme, under CCS (Pension) Rules, 1972 with regard to Selection/Recruitment of Assistant Security Officer (A) personnel vide BARC Personnel Division, Recruitment Section III, Central Complex, Trombay, Mumbai vide Employment Advt. No. 1/2001-R-III, with Ref. to No. D/13 (1)2001-R-III/1282 dated 17th October 2002 for the period 2000-2002 and there onwards.

AND WHEREAS the Central Public Information Officer has disposed of the RTI application vide letter No. BARC/RTI/2020/12/5684/937 dated 21.01.2021 stating that total 07 persons recruited in the year 2004 have been permitted to switch over to Pension scheme under CCS (Pension) Rules, 1972.

AND WHEREAS the said Shri Y. S. Mallikarjunaiah has preferred an appeal dated 1.02.2021 to the Appellate Authority, BARC requesting to provide the details of employees recruited in 2004 under NPS (National Pension Scheme) and permitted to switch over to pension scheme, under CCS (Pension) Rules, 1972.

AND WHEREAS the undersigned as the Appellate Authority under RTI Act has called for the records related to this case and it is seen that the RTI application was received by CPIO, BARC on 24.12.2020 and the RTI application was replied vide letter No. BARC/RTI/2020/12/5684/937 dated 21.01.2021.

On perusal of the records it is observed that CPIO, BARC has rightly provided the information in numbers stating that 07 persons recruited in 2004 under NPS (National Pension Scheme) and were permitted to switch over to pension scheme, under CCS (Pension) Rules, 1972. Their name & other details of employees relates to personal information and disclosure would cause unwarranted invasion to the privacy of the individual employee and hence exempt under section 8 (1) (j) of RTI Act, 2005. It is pertinent to mention here that the Hon'ble Supreme Court vide Order dated 31.08.2017 in Civil Appeal No. 22 of 2009 held that the information relating to personal information of an individual employee such as joining, designation, details of promotion, transfer etc. which are not in larger public interest cannot be provided to a third party.

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THEREFORE the appeal of Shri Y. S. Mallikarjunaiah stands disposed

Mallikarjunaiah is hereby informed that in terms of Section 19(3) of RTI and appeal against the decision of Appellate Authority shall lie with the Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi within 90 days from the date on which the decision should have been finally received by the Appellant.



(K. Jayakumar)
Actg. Controller, BARC &
Appellate Authority under the
Right to Information Act, 2005

Mallikarjunaiah,
Main, Bank Colony,
Bangalore, Karnataka
- 570 026.