

केन्द्रीय सूचना आयोग
Central Information Commission
बाबागंगनाथमार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नईदिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/NFCOM/A/2022/156969**

Shri Syed Khasim Hussain

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO, Nuclear Fuel Complex

...प्रतिवादीगण / Respondent

Date of Hearing : 16.01.2024

Date of Decision : 16.01.2024

Chief Information Commissioner : Shri Heeralal Samariya

Relevant facts emerging from appeal:

RTI application filed on : 23.08.2022
PIO replied on : 23.09.2022
First Appeal filed on : 01.10.2022
First Appellate Order on : 27.10.2022
2ndAppeal/complaint received on : 16.12.2022

Information sought and background of the case:

The Appellant filed an RTI application dated 23.08.2022 seeking information on 7 points as under:-

“1) The Xerox copies of basic estimates prepared and approved by competent in NFC, Hyderabad on following tenders may please be provided.

a) ZSP-WCO-PT/4/2022-ZSP

b) M/527/2022

c) C/1279/2022

d) NFC/CED/EM/471/2022

e) E/639/2022

f) NFC/NUOFP(O)/MATERIAL HANDLING CONTRACT/2022

g) NFC/EPP(92)/JO/2022/Zircaloy Forging-01

Etc”

The CPIO and Industrial Relations Officer, Nuclear Fuel Complex, Hyderabad vide letter dated 23.09.2022 stated as under:

The information sought is voluminous in nature. Collection & collation of such information is time consuming which will disproportionately divert the resources of Public Authority. Therefore, information sought can't be provided under Clause 7(9) of RTI Act 2005.

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 01.10.2022. The FAA and Chief Administrative Officer, Nuclear Fuel Complex vide order dated 27.10.2022 upheld the CPIO's reply.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

A written submission has been received from the CPIO and AO- III, Nuclear Fuel Complex vide letter dated 11.01.2024, the relevant extracts of which are as under:

“6. In the light of 2nd appeal preferred by the Appellant, the Respondent CPIO humbly and most respectfully submits that the Appellant is in the habit of sending various RTI applications by continuously seeking information which is voluminous in nature and the collection and collation of such information is time consuming which would disproportionately divert the resources of the Public Authority under Section 7 (9) of RTI Act 2005.

7. Therefore, it is submitted that the Hon'ble Commission may kindly consider the above facts and close the case., relying on the earlier CIC Order dated 24.04.2017 in Dinesh Kumar Kesarwani Vs. PIO, Allahabad Museum.”

Facts emerging in Course of Hearing:

Appellant: Heard through Audio Conference

Respondent: Shri D Srinivasa Rao, CPIO

The Appellant stated that the information sought was incorrectly denied quoting Section 7 (9) of the RTI Act, 2005 without justifying as to how it would disproportionately divert their resources.

Shri D Srinivasa Rao stated that reference was made to Section 7 (9) in the PIO's reply since the Appellant had filed multiple RTI applications seeking all and sundry information pertaining to several tenders/ work orders issued by the public authority providing which will cause disproportionate diversion of their resources.

Decision:

Keeping in view the facts of the case and the submissions made by both the parties, the Commission is of the view that an appropriate response as per the provisions of the RTI Act, 2005 has been provided by the Respondent. Hence, no

further intervention of the Commission is required in the instant matter. Shri D Srinivasa Rao, CPIO is however directed to forward a copy of his written submission to the Appellant within 15 days from the date of receipt of this order for his perusal.

With the above observation, the instant Second Appeal stands disposed off accordingly.

Heeralal Samariya (हीरालाल सामरिया)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
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