

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/2022/656431**

Shri Shehaz V. B.

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO, Nuclear Fuel Complex, D/o Atomic Energy

...प्रतिवादीगण / Respondent

Date of Hearing : 23.01.2024

Date of Decision : 23.01.2024

**Chief Information Commissioner : Shri Heeralal Samariya**

**Relevant facts emerging from appeal:**

RTI application filed on : 02.08.2022  
PIO replied on : 27.08.2022  
First Appeal filed on : 14.09.2022  
First Appellate Order on : 17.10.2022  
2<sup>nd</sup>Appeal/complaint received on : 21.10.2022

**Information sought and background of the case:**

The Appellant filed an RTI application dated 02.08.2022 seeking information on following points:-

1. Total number of applications received?
2. Total Number of applications received from GEN category?
3. Total Number of applications received from OBC category?
4. Total Number of applications received from SC category?
5. Total Number of applications received from ST category?
6. Total Number of applications received from PWBD category?
7. What is the status of recruitment as per the above advertisement?
8. From a recent notification published on 26.07.2022 in the NFC website it is said that the above advertisement is cancelled due to administrative reason. What exactly is the reason for its cancellation? Please explain.
9. What is the total amount collected, as application fees, for the above advertisement?

10. In the advertisement it is clearly mentioned that the advertisement can be cancelled. But no where is it mentioned that the application fees collected won't be refunded. Therefore, are the collected fees refunded back to the applicants?

11. If the fees are not refunded back to applicants, then why it is not refunded back?

12. Why no instruction was given in the advertisement regarding the refund of application fees if at any cause the advertisement/ recruitment was cancelled?

13. Isn't NFC liable to refund the fees collected as application fees when the advertisement is cancelled by NFC? If not, why (please provide the rules/procedures regarding this)?

14. In the advertisement it was given "The posts advertised above are not identified as suitable for persons with Disabilities (Divyangjan)". Why? Please provide rules/orders/decisions regarding it."

The CPIO and Industrial Relations Office, Nuclear Fuel Complex, Hyderabad vide letter dated 27.08.2022 replied as under:-

"1 99 Nos

2. GEN/UR=51 Nos.  
EWS= NIL

3. 30 Nos

4. 14 Nos.

5. 04 Nos.

6. NIL

7. Advt. No. NFC/02/2022 stands cancelled

8. The query does not fall under "information" as per section 2 (f) of RTI Act. Hence, could not be provided.

9. Since the information sought for by the applicant pertains to third party, the same is not disclosed.

10-13. The application fee collected against Advt. No. NFC/02/2022 is towards processing fee and hence non-refundable.

14. The General Instructions w.r.t Persons with Disabilities was incorporated based on the functional requirement of NFC."

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 14.09.2022. The FAA vide order dated 17.10.2022 stated as under:-

"3. After careful examination of aforementioned appeal, the undersigned is of the opinion that the PIO has provided the information sought except for Sl. No. 6 & 9. Hence, the CPIO, NFC has been directed to provide the information with respect to Sl. No. 6 & 9 within 15 days."

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

**Facts emerging in Course of Hearing:**

**Appellant:** Absent

**Respondent:** Shri D Srinivas Rao, CPIO and AO- III

The Appellant remained absent during the hearing despite prior intimation.

Shri D Srinivas Rao stated that information as per available record was provided to the Appellant vide letter dated 27.08.2022 and 05.12.2022, copies of which were enclosed with his written submission dated 20.01.2024. A copy of the written submission was also marked to the Appellant.

**Decision:**

Keeping in view the facts of the case and the submissions made by the Respondent, the Commission is of the view that an appropriate response as per the provisions of the RTI Act, 2005 has been provided. Hence, no further intervention of the Commission is required in the instant matter. For redressal of his grievance, the Appellant is advised to approach an appropriate forum.

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)

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