

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/NFCOM/A/2021/800056**

Shri Ganesh Sunil Jagdale

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO/Industrial Relations Officer
Department of Atomic Energy
Through: Shri D Srinivas Rao - CPIO

...प्रतिवादीगण / Respondent

Date of Hearing : 11.01.2023

Date of Decision : 19.01.2023

Chief Information Commissioner : Shri Y. K. Sinha

Relevant facts emerging from appeal:

RTI application filed on : 29.09.2021

PIO replied on : 29.10.2021

First Appeal filed on : -

First Appellate Order on : -

2ndAppeal/complaint received on : 02.12.2021

Information sought and background of the case:

The Appellant filed an RTI application dated 29.09.2021 which was responded to by the CPIO, Relations Officer, Department of Atomic Energy as under:-

S.N.	Information sought	Information furnished
1	We want complete information about the process of how you made the result.	Due to wrong method of bubbling, the OMR Sheet of Shri Ganesh Sunil Jagdale, Roll No. 2191300484 has not been evaluated.

The Appellant filed a First Appeal dated 29.10.2021 which was disposed off vide order dated 17.11.2021 in the following manner:

Reference is invited to your online RTI request vide Registration No. NFCOM/R/E/21/00209 dated 29.10.2021 seeking information under RTI Act, 2005. The information sought as provided by the deemed Public Information Officer in Nuclear Fuel Complex, Hyderabad is furnished below :

S. No.	Information sought	Information furnished
1	According to the information you provided (NFC/Admn(L)/ RTI- 191/2021-22/344), there are some errors in my OMR Sheet. I have filled up the OMR Sheet by repeatedly asking the invigilator. However, it is a humble request to inform me of the mistake made in my OMR Sheet.	Shri Ganesh Sunil Jagdale, Roll No. 2191300484 did not completely bubble the circles in the OMR Sheet. Due to the wrong method of bubbling, the OMR Sheet of Shri Ganesh Sunil Jagdale was not evaluated by the Optical Mark Reader.

यदि आप आयोग के कार्यालय में आना चाहते हैं तो...

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

Facts emerging in Course of Hearing:

Comments dated 05.01.2023 have been received from CPIO – Admn. Officer-III reiterating the above facts and adding that the FAA had furnished another reply dated 12.11.2021 explaining the Appellant as follows:

3. After careful examination of the aforementioned appeal, you are hereby informed that you have not filled the circle completely as per the instructions given in the OMR Answer Sheet and due to the improper filling of circles, the OMR Answer Sheet was not evaluated by the Optical Mark Reader.
4. Accordingly your appeal dated 29/10/2021 stands disposed off.

Hearing is held through video conference upon serving notice of hearing in advance to both parties. Respondent alone is present for the hearing, while the Appellant has neither attended the hearing nor sent any submission explaining the cause of his absence.

Decision:

Perusal of the submission sent by the Respondent reveals that information as defined under Section 2(f) of the RTI Act has been duly provided by the PIO, well within the mandated time frame. The Appellant has neither explained the cause of his dissatisfaction in the Appeal nor has he appeared to contest the case.

Considering the fact that information stands disseminated by the public authority no cause of action subsists under the RTI Act for further adjudication.

The appeal is disposed off accordingly.

Y. K. Sinha (वाई. के. सिन्हा)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
011-26186535