

Immediate

46-2(116)/2008-RTI

RTI Cell

- Ref: 1. Application dated 2.5.08 of Shri Jai Parkash.
2. Decision No. 4301/IC (A)/2009, dated 12.8.2009 of CIC (copy enclosed).

Reference above, the above referred decision of CIC is being forwarded for your information and record.



(Subhash Chander)
Section Officer & APIO
31.8.09

APIO (E-II)

IT Div. for uploading on the CIR website.



Central Information Commission

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066
Website: www.cic.gov.in

Decision No. 4301/IC(A)/2009
F. No. CIC/AT/A/2009/00249

Dated, the 12th August, 2009

Name of the Appellant : Shri Jai Prakash
Name of the Public Authority : Council of Scientific & Industrial Research

Facts: ¹

1. The appellant has grievances regarding his promotion against vacant posts. In this context, he has asked for certain information, which has been furnished, except the 'notesheets' containing the officials remarks relating to appellant's promotion. The CPIO has refused to provide the 'notesheets' u/s 8 (1) (j) of the Act on the ground that the information in question is personal in nature and by disclosing the information no larger public interest would be served.

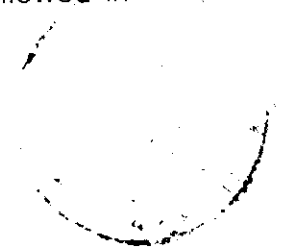
2. Being not satisfied with the Appellate Authority's response, the appellant has pleaded for providing the 'note sheets' containing the remarks of the officials who have contributed to the decision process in the matter of appellant's promotion.

Decision:

3. With a view to ensuring effective realization of mandatory objectives, every public authority autonomously decides about the deployment of resources, including manpower, which involves, among other things recruitment and promotion of staff. While it is critical to promote transparency and objectivity in the decision making process, it is equally important to withheld such inputs as the frank and candid opinions expressed in confidence by the superior officers in the matter of technical and professional competence of a colleague in relation to the expected job performance. The disclosure of individual remarks of officers, which constitute an input towards the process of taking a final decision, particularly in the matters of promotions or disciplinary action, cannot therefore be allowed in

If you don't ask, you don't get - Mahatma Gandhi

Ms. Raj B. Jaiswal
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the overall organizational interest. In view of this, there is no justification for disclosure of 'note sheets' containing remarks and identity of officials, who have contributed the decision making process in the matter of personal promotion of the appellant. Because, in such matters, it is feared that the disclosure of identity of officials, would unduly endanger their life and liberty. The denial of 'note sheet' containing such details as promotion of staff and disciplinary action is therefore justified u/s 8 (1) (g) and (j) of the Act. The decision of the respondent is therefore upheld.

4. The CPIO should however provide the grounds for denial of promotion against the vacant posts to the appellant, on the basis of available records within 15 working days from the date of issue of this decision.

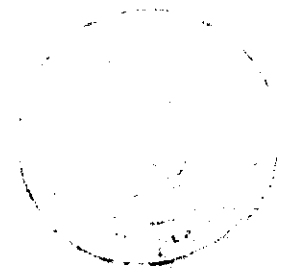
5. The appeal is thus disposed of.

Sd/-

(Prof. M.M. Ansari)
Central Information Commissioner

Authenticated true copy:

(M.C. Sharma)
Assistant Registrar



Name and address of parties: ²

1. Shri Jai Prakash, Finance & Accounts Officer, IMTECH, Sector-39 A, Chandigarh.
2. Shri Daljit Bedi, CPIO, Council of Scientific & Industrial Research (CSIR), CSIR Hqrs. Anusandhan Bhavan, 2, Rafi Marg, New Delhi-110001.

All men by nature desire to know - Aristotle