

CENTRAL INFORMATION COMMISSION
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Decision No. CIC/SM/A/2011/001358/SG/15184
Appeal No. CIC/SM/A/2011/001358/SG

Relevant facts emerging from the Appeal:

Appellant : Shri Debashish Dutta,
Scientific officer-D
Van de Graff Bldg., LEHIPA project
Physics Group, B.A.R.C., Trombay,
Mumbai-400 085

Respondent : Mr. Govardhan Rao
PIO & Head (Personnel Division)
Bhabha Atomic Research
Central complex, 3rd floor
BAARC, Trombay - Mumbai

RTI application filed on : 03-02-2011
PIO replied on : 22-02-2011
First Appeal filed on : 01-03-2011
First Appellate Authority order of : 11-03-2011
Second Appeal received on : 11-05-2011

Q.No.	Information sought	Reply of PIO
1.	In accordance with the letter HWD/2001/25 dated 13.7.2001, NOC should have been issued immediately once a division/department is willing to take the undersigned.. Keeping in view the time that has already passed after transfer, infuriation on delay in issuing the same requested.	Head, Heavy Water Division gave a free hand to you to seek the transfer to anywhere else in the department vide letter No.HWD/Per/01/301 dated 14.3.2001. As HWD did not get any request from other units of the department, your transfer could not be materialized before 2008. In absence of willingness shown by other divisions/units to take you as on 13.7.2001, the issue of the NOC immediately did not arise.

Grounds for the First Appeal:

The CPIO did not give complete and true information and CPIO did not provide information.

Order of the First Appellate Authority (FAA):

Hearing was there.

Ground of the Second Appeal:

PIO had not given complete and true information.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Mr. Debashish Dutta on video conference from NIC-Mumbai Studio;

Respondent: Mr. Govardhan Rao, PIO & Head (Personnel Division) on video conference from NIC-Mumbai Studio;

The information available on the records has been provided to the Appellant.

Decision:

The Appeal is disposed.

The information available on the records has been provided.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailish Gandhi

Shailish Gandhi

Information Commissioner

13 October 2011

(In any correspondence on this decision, mention the complete decision number. (AG))