

Most Urgent

File No. CIC/SM/A/2011/000956/SG
CENTRAL INFORMATION COMMISSION
Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.
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06 March 2012

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PIC & Head, Personnel Division,
Bhabha Atomic Research Centre,
Central Complex, 3rd Floor, BARC,
Trombay, Mumbai-400085

Ref: In the matter of Debashish Dutta v. Bhabha Atomic Research Centre in Decision No. CIC/SM/A/2011/000956/SG/15239

In the above referred matter, the Commission passed an order on 20/10/2011 directing the Respondent to provide the information sought by the Appellant before 10/11/2011. Subsequently, the Commission received a letter dated 02/01/2012 on 18/01/2012 from the Appellant alleging that the information received by him vide your letters dated 05/12/2011 and 21/12/2011 was severed under Section 10 of the RTI Act and therefore, the information provided was incomplete. On this basis the Commission vide its letter dated 31/01/2012 directed the Respondent to provide the complete information to the Appellant before 01/03/2012.

The Commission has received a letter dated 10/02/2012 from the Respondent wherein it is stated that subsequent to the order of the Commission dated 20/10/2011, the Respondent had sent a letter dated 19/01/2012 requesting the Commission to review the said order. The Respondent stated that parts of the information sought by the Appellant pertained to scientific/strategic work carried out by certain officials, the disclosure of which would compromise national security, strategic interests of the country-as per Section 8(1) (a) of the RTI Act and therefore, the complete information could not be provided.

Moreover, the Respondent, vide another letter dated 10/02/2012, referred to an earlier order of the Commission in Appeal No. CIC/SG/A/2011/002153 dated 16/11/2011 wherein the Respondent was directed to provide copies of the CR's /APAR's after applying the principles of severance under Section 10 of the RTI Act. Pursuant to this order, the Respondent had provided the requisite information after severing certain information under Section 10 of the RTI Act.

The Commission finds certain merit in the submissions of the Respondent. Therefore, the Respondent is hereby directed to provide the complete information to the Appellant before 01/04/2012 after applying the principles of severance under Section 10 of the RTI Act.

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CC: Mr. Debashish Dutta,
II, Van de Graaf Building,
LEHIPA Project, Physics Group,
BARC, Trombay, Mumbai-400085

Dhirendra Kumar
Deputy Secretary & Deputy Registrar

