CENTRAL INFORMATION COMMISSION

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> Decision No. CIC/SM/A/2011/000014/SG/16143 Appeal No. CIC/SM/A/2011/000014/SG

Relevant Facts emerging from the Appeal

Appellant : Mrs. Priyanka Prakash Gawde

C/o Canara Bank

Sion Koliwada Branch, 29th Road,

Devashish Building Sion (E), Mumbai 400 022

Respondent : Mr. S. Goverdhan Rao

Head, Personnel Division & Central Public Information Officer

BHABHA ATOMIC RESEARCH CENTRE

Central Complex, 3rd Floor, BARC Trombay, Mumbai- 85

RTI application filed on : 24/11/2009
PIO replied : 08/02/2010
First appeal filed on : 24/03/2010
First Appellate Authority order : 24/04/2010
Second Appeal received on : 13/12/2010

Information Sought:

Certified copy by the DEO, Estt. III furnishing the full details of total amount recovered from Shri P. S. Gawde towards LTC since the year 1990 to 2005 giving the full details of LTC block (HT & Cl-IT) along the amount sanctioned against each block, interest charged, Bus and Train tickets Xerox copies of each claims. Further you are requested to give details of RTF (Central School, DAE) total amount recovered with interest, Xerox copy of tuition fee receipt in the said matter.

Reply of the PIO:

The reply to your application dated 30.09.2009 was sent by this office vide letter dated 02.12.2009 to the address given in your application. However, it was received back undelivered with the remark 'left'. The same letter is enclosed herewith along with its enclosures.

Regarding documents requested vide your application dated 15.01.2010, xerox copies of the same will be made available on payment of Rs.18/- (@Rs.2/- per page for 9 No. of pages) by way of Demand Draft or Pay order issued by any Bank payable at Mumbai or Indian Postal Order payable to "Accounts Officer, BARC".

Grounds for the First Appeal:

Information provided is false, wrong, incomplete and unsatisfactory.

Order of the FAA:

Regarding Para 60) & 6 (ii) of her appeal, it is intimated that the refundable amount of Rs.420 - towards RTF was intimated to Shri P. S. Gawde vide letter No. BARc/Accts/S512/21/73 dated 23.01.2008. Since no correspondence nor any Intimation received from Shir Gawde in this regard an amount of Rs.515 (Rs.420/- towards RTF paid to him + Rs.95/-) was recovered from the salary for the month of August 2008 As requested by Shr Gawde the details of the amount of Rs.515/- was furnished to him vide letter

No. BARc/Acets/S-V/NG/512/21/79 dated 08.03.2009. It is seen from the appeal that Shri Gawde has paid Rs.420/- in cash on 01.02.2008. This was not initiated by Shri Gawde to concerned Salary Section of Accounts Division. In the absence of certain information an amount of Rs.515/- Was recovered in the month of August 2008 Shri M.S Gandale, DEO Estt III has furnished the details of recovery on the basis of Information received from Accounts Division. Therefore, the information furnished by PIO was correct. However, the excess recovery of Rs.420/- is being refunded through the salary for the month of May 2010.

4. The details of LTC & RTF sanctioned to Shri P. S. Gawde of year 1990 to 2005 were furnished to hey vide this office letter No. BARC/RTI/2009110/42E1/2381 dated 02.12.2009. However, the details of train tickets and bus tickets nos, and copies of the same cannot be furnished as the records for the period up to December 2004 has been weeded out as per provisions of GFR arid LTC claim for the block 2004-2005 (for Shri Gawde — Home Town) was cancelled as the advance for LTC was not collected.

Grounds for the Second Appeal:

Appellant alleged that the FAA favored CPIO.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Mrs. Priyanka Prakash Gawde on video conference from NIC-Mumbai Studio;

Respondent: Mr. N. G. Krishnan, Dy. Establishment Officer on behalf of Mr. S. Goverdhan Rao, Head,
Personnel Division & Central Public Information Officer on video conference from NICMumbai Studio:

The PIO has provided the information available as per records. However, this is a matter regarding certain LTC claims and refunds and the Appellant claims that the correct information has not been provided, In view of this the Appellant would like to inspect the records on 05/01/2012 from 10.30AM onwards.

The PIO is directed to facilitate an inspection of the relevant records by the Appellant on 05 January 2012 from 10.30AM onwards at the office of the PIO. In case there are any records or file which the appellant believes should exist, which are not shown to him, he will give this in writing to the PIO at the time of inspection and the PIO will either give the files/records or give it in writing that such files/records do not exist.

Decision:

The Appeal is allowed.

The PIO is directed to facilitate an inspection of the relevant records by the Appellant on 05 January 2012 from 10.30AM onwards. The PIO will give attested photocopies of records which the Appellant wants free of cost upto 100 pages.

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.

Shailesh Gandhi

Information Commissioner 07 December 2011

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

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