

Central Information Commission

Decision No.292/IC(A)/2006
F. No.CIC/MA/A/2006/00588

Dated, the 21st September, 2006

Name of the Appellant : Sh. Sharabh Dubey, 11/7 Civil Lines, Kanpur –
208 001. (U.P.)

Name of the Public Authority: The British India Corporation Limited, 14/136
Civil Lines, P.B. 77, Kanpur-208 001.

DECISION

Facts of the Case:

1. The appellant is an employee of the respondent. He was transferred to another Unit of the company. The office order was challenged by him in the Court, which adjudicated on the matter. Subsequently, he has filed a few more petitions on service related matters in the Court. In this backdrop, he has sought documents relating to the legal opinion obtained by the respondent, file notings by the senior officials on the issue of transfer, letters/correspondence with other officials, etc.

2. The CPIO has denied the information and sought exemption u/s 8(1)(d) & (g) of the Act.

3. The case was heard on 12.9.06. The appellant could not be present. The CPIO and the appellate authority were present. In the course of hearing, the CPIO showed a copy of the petition filed by the appellant in the Court, which contained almost all the documents asked for by him. The CPIO contended that the documents asked for by the appellant relate to the various petitions filed by him in the Court. He, therefore, pleaded that the disclosure of the documents might adversely affect the disputed cases. Hence, the relevant documents are treated as confidential.

Commission's Decision:

4. There is a dispute between the appellant and the company on service matters, including transfer of the appellant to another unit. The matter is pending

before the Court for adjudication. There is every possibility that the appellant would get opportunity for his effective defense. The information sought is in the interest of the seeker. And, as such, there is no overriding public interest, u/s 8(1)(j) of the Act, for disclosure of the information.

5. The appeal is therefore dismissed.

Sd/-
(Prof. M.M. Ansari)
Information Commissioner

Authenticated true copy:

(L.C. Singhi)
Additional Registrar

Cc:

1. Sh. Sharabh Dubey, 11/7 Civil Lines, Kanpur – 208 001. (U.P.)
2. Sh. M.K. Verma, CPIO, The British India Corporation Limited, 14/136 Civil Lines, P.B. 77, Kanpur-208 001.