

# CENTRAL INFORMATION COMMISSION

Review Petition No. CIC/WB/A/2006/256 dated 25/9/'06

Right to Information Act 2005 – Section 19

Appellant: Dr. (Mrs.) Radha Bhattacharya

Respondent: Saha Institute of Nuclear Physics, Kolkata

## Facts:

Shri V.V.Mallikarjuna Rao, Registrar, Saha Institute of Nuclear Physics has moved a review petition in appeal no. CIC/WB/A/2006/00256 Dr. (Mrs.) Radha Bhattacharya vs. Saha Institute of Nuclear Physics dated 15.9.06. In this petition, other than objections regarding procedure followed in the appeal, there is only one substantive ground presented to warrant review and that is why the Appellate Authority has sufficient reasons for holding that the application of applicant Dr. Radha Bhattacharya was in fact by her husband and thus treating requests of Shri P.Bhattacharya and Dr. Mrs. Radha Bhattacharya to be that of one person.

## ORDER

In this case the Commission has directed the CPIO to:

- (a) “comply with the provisions mandated by sec. 4(1) of RTI Act; and
- (b) to provide the information sought by the applicant within one month.”

The Public Authority is once again directed to comply with the mandatory requirements u/s 4(1) and provide the information that is not on the website to the appellant as mandated u/s 7(1). It is not understood as to how a review is sought in a matter where we have simply directed that mandatory requirements be met. The stand that husband and wife be treated as one entity is curious, and hardly in consonance with natural justice. **In fact in a matter of this nature, where mandatory requirements have not been met, it was not even necessary that we wait for an appeal to be preferred before us in order to give directions on compliance with the law.** Registrar Shri Mallikarjuna Rao of Saha Institute of Nuclear Physics is

directed to proceed accordingly. The Review petition is unsustainable and is dismissed.

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

(Wajahat Habibullah)

Chief Information Commissioner

25.10.2006

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(L.C.Singhi)

Addl. Registrar

25.10.2006