

**CENTRAL INFORMATION COMMISSION**  
**BLOCK IV, OLD JNU CAMPUS, NEW DELHI 110067**

Appeal No.39/ICPB/2006  
June 29, 2006

**In the matter of Right to Information Act, 2005 – Section 19.**

Appellant : Ms. S. Lilawathi

Public Authority : JIPMER, Pondicherry  
P. Rajendran, PIO  
Dr. K.S.V.K.Subba Rao, Director JIPMER - Appellate Authority

**FACTS:**

By an application dated 30.1.2006, the appellant asked for the following information: Documentary evidence for advertisements, question paper, selection, qualification of the yoga teachers, the names of the yoga teachers and their qualification to teach yoga, whether it is approved by NCTE or not from 2000 to till date at Pharmacology Department, JIPMER. By a communication dated 17<sup>th</sup> March, 2006, the PIO furnished the information sought for by the appellant. Her complaint in the appeal is that the information sought for by her was not furnished to her within 30 days and that the appellate authority did not respond to her appeal dated 11.3.2006 and that the information relating to documentary evidence for the selection of Mrs. Devasena and the documentary evidences for the qualification of yoga teachers and for the approval of NCTE were not provided and for the advertisement in the newspaper was not given. Thus, according to her, incomplete information had been provided to her. In view of this delay and also for providing incomplete information, she has sought for compensation of Rs.50,000 to Rs.5,00,000 for loss of time, energy, money and mental agony.

**DECISION:**

2. Comments were called for from PIO. In the comments, it is stated that the appellant had desired, that Mrs. Devasena, the candidate may be enquired as she is working at JIPMER about the approval of NCTE. Actually, Mrs. Devasena is not working at JIPMER and therefore it is not possible to enquire from her about the approval of NCTE and as such no misleading information had been given to the appellant. No newspaper advertisement was released and the selection was based on the list of eligible candidates called for from the Employment Exchange, Pondicherry. In so far as documentary evidence regarding qualification is concerned, the originals were returned to the candidates after perusal at the time of interview. Thus, according

to the CPIO, all the available information as sought for by the appellant has been provided. It is also stated in the comments that the appellant has made certain allegations against some of the faculty members which were referred to the Vigilance officer for enquiry but the appellant is not appearing before the enquiry committee inspite of repeated reminders and she is harassing every body without any specific complaints.

3. I have seen the information furnished to the appellant. The PIO has furnished a copy of the advertisement put on the notice board, copy of the qualification prescribed by Central Council for Research in Yoga and Naturopathy, copy of the question paper and the name of yoga teacher selected and her qualification. In so far as approval by NCTE is concerned, the PIO has informed that the same was not known. Considering the information sought and furnished and also the comments of the PIO, it is evident that whatever information was available with the public authority, the same has been furnished. In regard to her demand that the CPIO should ascertain from Mrs. Devsena whether the qualification has been approved by NCTE, the same cannot be entertained as in terms of the RTI Act, the public authority is bound to furnish only the information as is available with it. Therefore, I do not find any merit in the appeal. In so far as her demand for compensation is concerned, even though I notice that there has been delay in furnishing the information, I find that the CPIO had not deliberately delayed the same and as such her prayer cannot be considered.

4. Appeal is dismissed.

5. Let a copy of this decision also be sent to appellant and CPIO.

Sd/-  
(Padma Balasubramanian)  
Information Commissioner

Authenticated true copy :

( Prem K. Gera )  
Registrar

Address of parties :

1. Dr. K.S.V.K. Suibba Rao, Director, Jawaharlal Institute of Postgraduate Medical Education & REsearch, Dhanvantari Nagar, Pondicherry 605006.
2. Ms. S. Lilawathi, 23 Bharatiar Salai, Ashok Nagar, Lawspt, Pondicherry 605008.