

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

Appeal No. 40/ICPB/2006
June 29, 2006

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

Appellant : Shri Anurag Mittal, Delhi.

Public Authority : National Institute of Health & Family Welfare
Dr. T. Mathiyazhagan, CPIO.

DECISION

The appellant sought for information on the status of the enquiry on the complaint made by him to the public authority that the e-mail messages sent by him to the Directors and other officers of the Institute had been allowed to be accessed by some persons against whom the appellant has made complaints. The CPIO had declined to furnish the information on the ground that a third party involved had requested not to disclose the information sought. Since the stand of the CPIO did not appear to be correct, the appeal was heard on 28th June, 2006 when the appellant and the CPIO were present. The Commission noticed that the CPIO had declined to provide the information on the mistaken view that the appellant was seeking for copies of communication sent by the third party, the disclosure of which was objected to by the third party, the Commission has directed the CPIO to furnish the information to the appellant whether any enquiry has been ordered and if so, its present status. This information should be furnished within 15 days. During the hearing the appellant also brought to Commission's notice that in the institute, there is no system/machinery to deal with RTI applications and that even the statutory manuals in terms of Section 4 are not in place. The CPIO has promised to file a detailed report on the same within 15 days, which he should do without fail with a copy to the appellant.

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

(Padma Balasubramanian)
Information Commissioner

Authenticated true copy :

(Prem K. Gera)
Registrar

Address of parties:

1. Dr. T. Mathiyazhagan, Public Information Officer, National Institute of Health & Family Welfare, Munirka, New Delhi-110067
2. Shri Anurag Mittal, House No. KD-83/A, Ashok Vihar Phase I, Delhi-110052.