



Central Information Commission

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110 066
Website: www.cic.gov.in

Decision No.5203/IC(A)/2010

F. No.CIC/MA/A/2009/000818

Dated, the 3rd March, 2010

Name of the Appellant: Shri. Nitin Tulani

Name of the Public Authority: I.C.A.R.

Facts: ⁱ

1. Both the parties were heard on 26/2/2010.
2. The appellant has a marital dispute. In this context, he has asked for personal and official details of his wife, an employee of a private company, which had placed her services at the disposal of the respondent. In response to the RTI application, the CPIO has replied and refused to provide the information u/s 8(1)(j) of the Act, after obtaining concurrence of the concerned person u/s 11(1) of the Act.
3. In the course of hearing, the appellant stated that the requested information was required for determining the maintenance allowance to be paid to her by the appellant. The respondent stated that the person, whose details have been asked for, was an outsourced employee and she is no more working with the respondent directly or indirectly. The information was refused because the appellant's wife did not give her concurrence u/s 11(1) of the Act. The CPIO, however, agreed to provide proof of the last salary drawn in the month of December 2009.

Decision:

4. The appellant has matrimonial dispute with his wife and the matter is already pending before the Court for adjudication. The Court has full control and access to the relevant information required for redressal of grievances of the parties. The information asked for relate to personal information. The CPIO has therefore correctly invoked section 11(1) and 8(1)(j) of the Act for denial of personal information. However, the amount of salary paid by the respondent

ⁱ ***"If you don't ask, you don't get."*** - Mahatma Gandhi

through the company which employed the appellant's wife should be disclosed within 10 working days. The CPIO is accordingly directed and this appeal is thus disposed of.

Sd/-
(Prof. M.M. Ansari)
Central Information Commissionerⁱⁱ

Authenticated true copy:

(M.C. Sharma)
Deputy Registrar

Name & address of Parties:

1. Sh. Nitin Tutlani, RZ-39, South Ex-III, Uttam Nagar, Delhi – 110 059.
2. Sh. K.N. Choudhary, CPIO, ICAR, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi – 110 001.
3. Sh. Sanjay Gupta, Appellate Authority, ICAR, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi – 110 001.

ⁱⁱ “*All men by nature desire to know.*” - Aristotle