

Central Information Commission
Appeal No.CIC/SM/A/2008/00120 dated 16-08-2008
Right to Information Act-2005-Under Section (19)

Dated: 8 October 2009

Name of the Appellant : Shri V. Satheesh Kumar
S/o Shri R. Venkatachalam,
No-23, 23rd Street, DAE Township,
Kalpakkam, Distt. Kancheepuram,
Tamil Nadu.

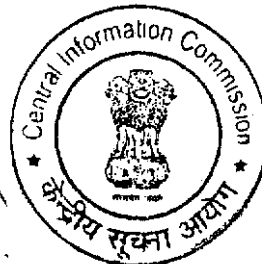
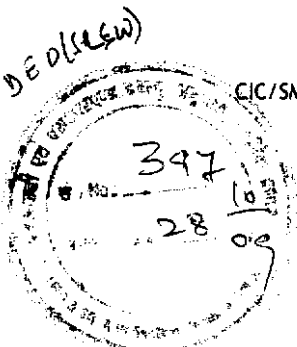
Name of the Public Authority : CPIO, Bhabha Atomic Research Centre,
Govt. of India, Central Complex,
3rd Floor, BARC, Tombay,
Mumbai.

The Appellant was present in person.

On behalf of the Respondent Shri Rao, CPIO was present.

2. In this case, the Appellant had, in his application dated August 16, 2008, requested the CPIO for the copies of a number of documents including the complaints filed by his wife to the authorities and the replies given to her. The CPIO in his reply dated September 2, 2008 refused to provide the copies of four of those documents claiming that the information sought concerned a third party, in this case his wife, and, therefore, was exempt from disclosure under Section 8(1) (j) of the Right to Information (RTI) Act. Not satisfied with this reply, he moved the first Appellate Authority on September 19, 2008. That Authority, in his order dated October 3, 2008 endorsed the stand of the CPIO and disposed of the appeal. It is against this order that the Appellant has come before the CIC in second appeal.

3. During the hearing through videoconferencing, the Appellant was present in the Kanchipuram studio of the NIC whereas the Respondent was present in the Mumbai studio. The Respondent submitted that, in the meanwhile, under Section 11 of the Right to information (RTI) Act, they had



consulted the Appellant's wife about the disclosure of the desired documents and that she had now given no objection to such disclosure. In view of this, we now direct the CPIO to provide to the Appellant within 10 working days from the receipt of this order, certified copies of the remaining available documents as desired by the Appellant.

4. The appeal is, thus, disposed off.
5. Copies of this order be given free of cost to the parties.

Sd/-
(Satyananda Mishra)
Information Commissioner

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.



Vijay Bhalla
(Vijay Bhalla)
Assistant Registrar