

CENTRAL INFORMATION COMMISSION
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Appeal No. CIC/VS/A/2015/000273

Appellant: Mr. Surendra Singh
C/o Late Sh. Hari Singh,
Vill/PO-Hill Road Mihijam,
Distt. Jamtara-815354,
Jharkhand

Respondent: Central Information Officer
Dy. CPO(W)-CLW,
Chittaranjan Locomotive Works,
PO/PS-Chittaranjan, Distt. Burdwan-713331, W.B.

Date of Hearing: 16.11.2016

Dated of Decision: 16.11.2016

ORDER

Facts:

1. The appellant filed RTI application dated 22.10.2014 seeking information regarding Smt. Kiran Koshti Singh viz nominee in the service record and their percentage position; nominee in the provident fund and their percentage position; leaves taken till date and for what/which, reason/purpose; whether maternity and child leave taken or not and the period of leave and other related issues.
2. The CPIO responded on 12.11.2014. The appellant filed first appeal on 08.12.2014 with the First Appellate Authority (FAA). The FAA responded on 22.12.2014. The appellant filed second appeal on 29.01.2015 with the Commission on the ground that information should be provided to him.

Hearing

3. The appellant and the respondent both participated in the hearing.
4. The appellant referred to his RTI application and stated that the sought for information has not been provided to him by the respondent.
5. The appellant stated that the CPIO has denied the information claiming exemption u/s 8(1)(j) of the RTI Act. The appellant stated that the information sought is not personal information and CPIO has wrongly invoked the aforesaid section. The appellant stated that the sought for information is public record. The appellant stated that he is seeking information related to his wife and he should not be treated as third party.
6. The respondent stated that the sought for information is related to personal and third party information and the disclosure of which has no relationship to any public activity or interest and the disclosure of which would cause unwarranted invasion of the privacy of the individual therefore such information is exempted under section 8(1)(j) of the RTI Act. The respondent stated that the third party has in writing refused to provide her information to the appellant.
7. The appellant referred a Commission's decision dated 10.03.2010 and stated that the sought for information should have been provided to the appellant. The respondent stated that he is facing criminal charges/Court proceeding regarding maintenance which were initiated by her wife hence he has a need of the sought for information.

Discussion/ observation:

8. It is settled law that sought for information is personal information and exempted under section 8(1)(j) of the RTI Act and it cannot be disclosed unless larger public interest involved. It is observed that there is no larger public interest involved in the matter at hand.

9. The Hon'ble High Court of Delhi in W.P. (C) 803/2009 Vijay Prakash versus UOI decision dated 01.07.2009 has held that:

'estranged wife's service matters such as leave record, application for leave, finance investment record, detail of nominee are not disclosable.'

10. The action /steps taken by the respondent in dealing with the RTI application are satisfactory.

Decision:

11. No intervention is required in the matter at the level of this Commission.

The appeal is disposed of. Copy of the decision be given free of cost to the parties.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar