

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)

Central Information Commissioner

CIC/CC/A/2015/000428-SA

Kamlesh Singh Bisht v. PIO, Department of Higher Education

Important Dates and time taken:

RTI: Nil	FAO: Nil	SA: 09.01.2015
Disposed of	Hearing: 26.09.2016	Decided on: 26.09.2016

Parties Present:

1. Appellant: Present.

Public authority: Not present.

2. The appellant is seeking details about appointment, salary etc. of his wife, relating to family dispute including custody of minor child. The case is pending before the Lucknow Court. The appellant says that information was not provided to him for 4 years and insisted on strict actions. The case has already been heard in case no. CIC/RM/Misc/2012/004 on 4.10.2012.

3. The Commission directs the respondent authority to provide the date of appointment of Dr. Nidhi Bisht and scale of salary fixed for her, within 15 days from the date of receipt of this order. The appellant wanted to know whether management has to take undertaking/approval of guardian or spouse before recruiting any person having a minor female child, and who is responsible for the safety of his minor daughter. The employment is a personal right and part of personal freedom of an individual to attain majority age. It's a matter of common sense that one should know that nobody is under any obligation to give or take permission/consent/undertaking before taking or giving employment to a major person. As head of the family, husband/father should be responsible for the safety of any minor child. This is also part of common sense. If the father and mother are having domestic disputes pending before the court of law, the

latter is entrusted with the responsibility of securing the welfare of the children. The appellant's demand in this RTI application is subject matter of litigation. There is no remedy available under RTI Act before this Commission. Except the date of appointment and salary related information, appellant has no right for any other information, hence, rejected.

Sd/-

(M. Sridhar Acharyulu)
Central Information Commissioner

Authenticated true copy

(Dinesh Kumar)
Deputy Registrar

Copy of decision given to the parties free of cost.

Addresses of the parties:

1. The CPIO under RTI,
Department of Higher Education,
MHRD, C-Wing, Shastri Bhawan,
New Delhi.
2. Shri Kamlesh Singh Bisht,
SO1(R), O/o Chief Engineer Jabalpur Zone,
Jabalpur Cantt., Jabalpur-428001, MP.