

CENTRAL INFORMATION COMMISSION
August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F.NO. CIC/YA/A/2016/000067

Date of Hearing : **17.02.2017**
Date of Decision : **17.02.2017**
Appellant/Complainant : **Shri Senthilkumaran,**
Virudhu Nagar, T.N.
Respondent : **CPIO, Dept. of Ayush**
Through:
Dr. Ramesh Kumar, SMO
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

RTI application filed on : 30.09.2015
PIO replied on : No reply
First Appeal filed on : 10.10.2015
First Appellate Order on : Not heard
2nd Appeal/complaint received on : 01.01.2016

Information sought and background of the case:

Vide RTI application dated 30.09.2015; the appellant sought the following information, quoted in verbatim hereinafter:

1. *May I do the yoga practice while suffering from fever or cough?*
2. *Which yoga practice is used to remove LDL (bad cholesterol) from our body?*
3. *Which yoga practice is used to reduce belly.*
4. *Which yoga practice is used to increase memory power?*
5. *In generally, which yoga practice is fit for everyone.*

The CPIO did not reply to the RTI application. The first appeal preferred by the appellant remained unheard. Feeling aggrieved, the appellant approached the Commission.

Relevant facts emerging during hearing:

The appellant was absent while the Department of Ayush was represented by Dr. Rakesh Kumar. The respondent stated that the RTI was filed with the Ministry of Health & Family Welfare, Department of Ayush and not forwarded to the concerned unit i.e. Morarji Desai National Institute of Yoga (MDNIY), an autonomous institution under the Ministry of Ayush, Government of India. The CPIO stated that it was only after receipt of the notice of hearing issued by the Commission, they became aware of the RTI application and accordingly a reply was sent to the appellant. A copy of reply was placed before the Commission.

Decision:

After hearing the respondent and perusal of records, the Commission observes that it is unfortunate to see general information seekers being given information much beyond the stipulated time due to bureaucratic, procedural lapses within the public authority. The questions sought related to yoga practices, which are being actively propagated by the Ministry under the Department of Ayush.

The Citizen's/Client's Charter for Department of Ayush provides as:

Vision Mission –

Vision –

To position AYUSH systems as the preferred systems of living and practice for providing holistic healthcare for all citizens.

Mission –

- 1. To maintain AYUSH at all levels in the Health Care System*
- 2. To improve access to and quality of Public Health delivery through AYUSH system*
- 3. To focus on Promotion of health and prevention of diseases by propagating AYUSH practices.*
- 4. Proper enforcement of provisions of Drugs & Cosmetic Act 1940 and Rules framed thereunder relating to the ASU drugs throughout the country.*
- 5. Development of Human Resource in AYUSH.*

It is, therefore, incumbent upon the Department of Ayush to take great interest in furnishing information sought about yoga from RTI querists. It would be in the interest of public health to promote yoga practices. The public authority is, therefore, directed to furnish a revised reply listing out the relevant publications by the MDNIY or the Department of Ayush in this regard. The order shall be complied within 3 weeks of receipt.

The Commission also directs Secretaries of Ministry of Health and Family Welfare as well as Department of Ayush to streamline the glitches persisting in the management of RTI queries received online. The Commission have found this problem recurring in a number of RTI queries submitted online which are either not replied at all or replied much beyond the stipulated date. The Designated officer of this bench is directed to send copy of this order to Secretary Ministry of Health and Family Welfare and Secretary, Ministry of Ayush.

(Yashovardhan Azad)
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.

(R.P.Grover)
Designated Officer

Copy to:-