

Central Information Commission, New Delhi
File No.CIC/SM/A/2010/000985
Right to Information Act-2005-Under Section (19)

Date of hearing : 16 March 2011
Date of decision : 16 March 2011
Name of the Appellant : Shri Santosh Kumar Mishra
1010, Akashganga,
Anushaktinagar, Mumbai.
Name of the Public Authority : CPIO, Department of Atomic Energy,
Bhabha Atomic Research Centre,
Central Complex, 3rd Floor, BARC,
Trombay, Mumbai - 400 085.

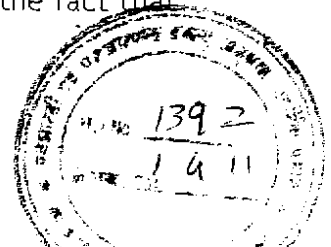
The Appellant was not present in spite of notice.

On behalf of the Respondent, Shri Goverdhan Rao, PIO was present.

Chief Information Commissioner : Shri Satyananda Mishra

2. The Appellant was not present in the Mumbai studio of the NIC in spite of notice. The Respondent was present in the same studio and made his submissions.
3. The Appellant had sought some information regarding (a) a complaint made by his wife and (b) some other subjects. Although the CPIO had provided most of the information, he had not disclosed a copy of the complaint since the wife of the Appellant had specifically objected to its disclosure.
4. During the hearing, the Respondent clarified that the wife of the Appellant had complained against him alleging various forms of harassment and that the matter had also been raised with the police. He further submitted that since this was a case of marital dispute, the public authority had not thought it right to interfere at this stage and had decided to await the outcome of the complaint before the police. In the light of the fact that

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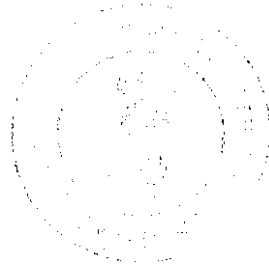
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the wife of the Appellant has alleged harassment against him and she has objected to the disclosure of her complaint, we do not think it proper to ask the CPIO to provide a copy of it to the Appellant. In the circumstances of this case, the complaint can be considered to be in the nature of personal information having no relation to any public activity or interest and, therefore, not to be disclosed as exempted under Section 8(1) (j) of the Right to Information (RTI) Act.

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

(Satyananda Mishra)
Chief 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)
Deputy Registrar