

केन्द्रीयसूचनाआयोग
Central Information Commission
बाबागंगनाथमार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नईदिल्ली, **New Delhi – 110067**

द्वितीय अपील संख्या / Second Appeal No. **CIC/DTGHS/A/2018/155892**

Shri R. P. Rohilla

....अपीलकर्ता/ Appellant

VERSUS

बनाम

1. PIO/Dy. Director-(VP), Directorate General of Health Services, (Min. of Health & Family Welfare), Nirman Bhawan, New Delhi-110108 प्रतिवादीगण / Respondent
2. PIO/Office of the Directorate & CPIO, Directorate General of Health Services, Rural Health Training Centre, Najafgarh, New Delhi-110043

Through:-
Shri Vijay Kumar, UDC

Date of Hearing : 02.01.2019
Date of Decision : 15.02.2019
Information Commissioner : Shri BimalJulka

Relevant facts emerging from appeal:

Case No.	RTI filed on	CPIO reply	First appeal	FAO
155892	21.06.2018	24.07.2018	06.08.2018	20.08.2018

CIC/DTGHS/A/2018/155892

Information sought and background of the case:

The Appellant filed an RTI application dated 21.06.2018, sought information regarding address of Ms. Sarveen Yadav & Ms. Reena Yadav being the candidates called for interview for the post of Auxiliary Nurse Midwife (ANM) in RHTC.

Dr. Charan Singh, Director & CPIO vide letter dated 24.07.2018 stated as follows:-

“...it informed that the requisite information does not come under the purview of RTI Act 2005. Hence, the address of the individual cannot be disclosed without her consent”.

Dissatisfied response received from CPIO, the Appellant filed a First Appeal dated 06.08.2018. Shri Rajiv Manjhi, Joint Secretary & FAA vide order dated 20.08.2018 held the information asked for, was exempt from disclosure under Section 8(1)(j) of RTI Act, 2005. Feeling aggrieved with the FAO, the Appellant approached this Commission by filing the instant Second Appeal.

Facts emerging in Course of Hearing:

Both the parties are present and heard. The appellant submits to have sought address of two applicants interviewed for appointment as Auxiliary Nurse Midwife (ANM). Though the appellant conceded that the information sought was personal in nature being address of a third party, he contended that the PIO did not follow the procedure under Section 11 of the RTI Act. Per contra, the PIO reiterated his earlier stand and submitted that since, the appellant failed to disclose any larger public interest, his request was rejected.

Decision:

The Commission finds no infirmity in the FAO. Section 11 of the RTI Act does not cast an obligation on the PIO to resort to third party procedure in all cases. Section 11 comes into play only when the PIO proposes to disclose information which is personal to any third party. In the present case, the PIO held the information sought as personal and exempted under Section 8(1)(j) in absence of any element of larger public interest. Even before the Commission, no case of public interest has been established. Accordingly, the Commission finds the decision of PIO as well as FAA to be in line with law laid on the aspect. (See: **Girish Ramchandra Deshpande vs. Cen. Information Commr. and Ors.** (03.10.2012 - SC):MANU/SC/0816/2012&**Canara Bank vs. C.S. Shyam and Ors.** (31.08.2017 - SC) : MANU/SC/1068/2017)

The appeal is dismissed being *sans* merit.

(Bimal Julka)
Information Commissioner (सूचना आयुक्त)

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