

**In the Central Information Commission
at
New Delhi**

File No: **CIC/AD/A/2011/002037**
CIC/AD/A/2011/002038

Date of Hearing : **November 2, 2011**

Date of Decision : **November 2, 2011**

Parties:

Applicant

Shri Ved Prakash Singhal (CIC/AD/A/2011/002037)
R/o Gate Wali Gali
Extension No.01
Nangloi
Delhi 110 041

The Applicant was represented by Shri Dinesh Singhal during the hearing

Shri Dinesh Singhal (CIC/AD/A/2011/002038)
R/o Gate Wali Gali
Extension No.01
Nangloi
Delhi 110 041

The Applicant was present during the hearing

Respondents

O/o Principal Judge
Family Courts
Dwarka
New Delhi

Represented by : Ms.Sunita Gosain, PIO

Information Commissioner : Mrs. Annapurna Dixit

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(Since both the captioned cases are related to the same issue, and the information sought is same it is decided to dispose them off with a common order)

ORDER

Background

1. The Applicants filed an RTI Application dt.24.5.11 and 6.6.11 with respect to decree in the case no.302/10 (Dinesh Singhal Vs.Neetu Jain) dt.20.11.10. Being aggrieved with the replies dt.16.6.11 and 17.6.11 by the PIO and also on not receiving any reply to the first appeals dt.17.6.11 and 18.6.11, the Applicants filed the present petition s before Commission.

Decision

2. During the hearing, the Appellant sought a copy of the decree referred to by him in the instant case. The Respondent from the Family Court submitted that the Appellant can be provided a copy of decree after he applies for the same, following the procedure laid down in the Rules and Regulations for obtaining such documents from the Court. The Appellant insisted that he be provided with a copy of the judgment on payment of Rs.2/- per page as prescribed in the RTI Act.
3. The Commission after hearing the submissions by both sides, while relying upon Section 22 of the RTI Act holds that the overriding powers of the RTI Act will be applicable only if there is an inconsistency with regard to the disclosure of information contained in any Act and that since, in the instant case, the Family Courts Act does not deny disclosure of such information as sought by the Appellant, directs the Appellant to obtain the copy of the decree following the procedures laid down for this purpose.

4. The Commission also holds that the interpretations of the decree sought by the Appellant from the PIO, on the subject of his remarriage falls outside the ambit of the RTI Act. The PIO is not obliged to provide such information to the Appellant.
5. In the interest of the Appellant, however, the Commission also directs the PIO to allow inspection of the relevant file by the Appellant and to provide him with attested copies of documents identified by him, free of cost. The entire exercise to be completed by 2.12.11.
6. The appeals are disposed of with the above directions.

(Annapurna Dixit)
Information Commissioner

Authenticated true copy

(G.Subramanian)
Deputy Registrar

Cc:

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Extension No.01
Nangloi
Delhi 110 041
2. Shri Dinesh Singhal
R/o Gate Wali Gali
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3. The Public Information Officer
O/o Principal Judge
Family Courts
Dwarka
New Delhi
4. Officer in charge, NIC

Note: In case, the Commission's above directives have not been complied with by the Respondents, the Appellant/Complainant may file a formal complaint with the Commission under Section 18(1) of the RTI-Act, giving (1) copy of RTI-application, (2) copy of the Commission's decision, and (3) any other documents which he/she considers to be necessary for deciding the complaint. In the prayer, the Appellant/Complainant may indicate, what information has not been provided.