

Central Information Commission

Room No.307, II Floor, B Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066
website-cic.gov.in

File No. CIC/SH/A/2016/001106/MP

Appellant : Ms. Seema Agrawal, Hyderabad
Public Authority : 1) National Dairy Development Board, Anand
2) Indian Immunologicals Ltd., Hyderabad

Date of Hearing : May 09, 2017
Date of Decision : May 17, 2017

Present:

Appellant : Not present
Respondent : Shri Meenesh Shah, CPIO & DGM, Shri Murthi, DGM
(Legal) and Shri Anil Parekh, Asstt. (Legal) and Shri
Giridhar, Manager (Legal) – through VC

RTI application : 18.12.2014
CPIO's reply : 26.12.2014 & 28.01.2015
First appeal : 17.02.2016
FAA's Order : 29.02.2016
Second Appeal : 11.04.2016

ORDER

1. Ms. Seema Agrawal, the appellant, sought information with respect to denial of legitimate dues including annual increment for the year 2014-15 to Shri Narendra Agrawal.
2. The CPIO, National Dairy Development Board (NDDB) intimated the appellant that the information sought pertained to Indian Immunological Ltd.(IIL) and transferred the RTI application to IIL. The IIL informed that it was not a public authority and returned the IPOs. Dissatisfied, the appellant approached the first appellate authority (FAA). The FAA upheld the CPIO, NDDB's reply. Aggrieved, the appellant made an appeal to the Commission stating that requisite information had not been provided by the CPIO.
3. The matter was heard by the Commission. The appellant was not present in spite of the notice of hearing having been sent to her.

4. The Manager (Legal), IIL stated that the company was not a 'public authority' within the meaning of the RTI Act, 2005. The CPIO, NDDDB stated that the IIL was one of the subsidiary company of NDDDB and the NDDDB had 100% share holding of the IIL.

5. The Commission observes that since the NDDDB has 100% share holding in the IIL, the NDDDB can access the information sought from the IIL. The Commission directs the CPIO, NDDDB to access the information sought from the IIL u/s 2(f) of the RTI Act and provide a reply to the appellant within 20 days from the date of receipt of this order, keeping in view the provisions of Section 8(1)(j) and 11 of the RTI Act. The appeal is disposed of.

(Manjula Prasher)
Information Commissioner

Authenticated true copy:

Dy. Registrar

Copy to:

Appellant

Ms. Seema Agrawal
B-413, Fresh Living Apartment
Image Hospital Lane, Madhapur
Hyderabad-81

The Central Public Information Officer

National Dairy Development Board
Head Office
PB No. 40, Anand-388001, Gujarat

Respondent

Indian Immunologicals Ltd.
Manager (Legal)
Road No. 44, Jubilee Hills
Hyderabad, Telangana-500033

The First Appellate Authority

National Dairy Development Board
Head Office
PB No. 40, Anand-388001, Gujarat