

Central Information Commission

Mr.M K Gupta vs Ministry Of External Affairs on 15 March, 2011

In the Central Information Commission
at
New Delhi

File No: CIC/AD/

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Date of Hearing : March 15, 2011

Date of Decision : March 15, 2011

Parties:

Appellant

Shri M.K. Gupta
D-14/40, Ground floor, Sector-7,
Rohini,
New Delhi 110 085

The Appellant was present.

Respondents

Ministry of External Affairs
Regional Passport Office,
Hudco Trikoot-3,
Bhikaji Cama Place, R.K.Puram
New Delhi

Represented by: Shri Anurag Bhushan, RPO & CPIO and Shri P Roychaudhuri, Adv

Information Commissioner : Mrs. Annapurna Dixit

Decision Notice

As given in the decision

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at
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ORDER

Background

1 . The Applicant, through his RTI application dated 25.08.2010, wanted to obtain from the PIO, RPO, Hudco Trikoot, New Delhi photocopies of the documents submitted by Ms. Asha Gupta to the passport authority as a proof for her age and address while applying for the passport. The PIO, on 27.09.2010, informed the Applicant that the 3rd party, when consulted, had objected to the disclosure of the information and that on examination of the case, they had also found no larger public interest in disclosing the same. They accordingly declined to disclose the information to the Applicant under Section 8(1)(j) of the RTI Act. The Appellate Authority, in his 1st appeal, also endorsed the CPIO's view through his order dated 19.11.2010. The Applicant, aggrieved with this reply, filed the present appeal in the Commission on 03.12.2010 questioning the decision of the Respondents. Decision

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The Appellant, during the hearing, while arguing that public interest is involved in the information he is seeking, stated that the documents submitted by the 3rd party to the passport office as a proof of her age to get the passport, are fake. He, in support of his contention, produced certain documents viz., copy of high school certificate from KP Inter College, Allahabad of the 3rd party which, according to a confirmation received by the Appellant under RTI from the KP Inter College, is not genuine since the College is a boys' college as also a response from UP Board of High School & Intermediate Education, Allahabad stating that no certificate dated 15 June, 1989 and bearing No. 5543020 was issued by the concerned authority.

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During the hearing the Appellant admitted that what he is really seeking is not the information but for the passport of Ms. Asha Gupta to be revoked and stated that he would then not be interested in pursuing the RTI matter. The Respondent at this stage suggested that if the Respondent complains formally to the passport office regarding the fake certificate submitted by Ms. Asha Gupta, the passport office will enquire into the matter and take appropriate action.

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A copy of the complaint already filed by the Appellant with the passport office was then handed over

to the Respondent once again, in the presence of the undersigned. Based on the discussions, the Commission strongly recommends that the passport office enquire into this matter and if the allegations of the Appellant are found to be true, to revoke Ms. Gupta's passport. The passport officer may wish to keep the Appellant informed about the action being taken on his complaint at each stage and also share with him the enquiry report as also information on action taken, if any, on the passport of Ms. Gupta. This exercise may preferably be completed by end of April, 2011.

5. The appeal is disposed of with the above recommendation.

(Annapurna Dixit) Information Commissioner Authenticated true copy (G.Subramanian)
Deputy Registrar Cc:

1. Shri M.K. Gupta D-4/40, Ground floor, Sector-7, Rohini, New Delhi 110 085
2. The Appellate Authority Ministry of External Affairs Office of the Joint Secretary (PSP), Patiala House Annexe, Tilak Marg, New Delhi
3. Public Information Officer, Ministry of External Affairs Regional Passport Office, Hudco Trikot-3, Bhikaji Cama Place, R.K.Puram New Delhi
4. Officer In-charge, NIC