

CENTRAL INFORMATION COMMISSION

Baba Gang Nath Marg, Munirka,

New Delhi -110067

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Appeal No. CIC/PASOF/A/2017/132262

Appellant: Mr. Shishir Dhakar,

Respondent: Central Public Information Officer,
Ministry of External Affairs,
Passport Office-I,
ISBT, Main Building, Meaanine Floor,
In fronmt of Sanchi Dugdh Sangh,
Hoshangabad Road, Habibganj,
Bhopal-462024.

Date of Hearing: 11.1.2018

Dated of Decision: 11.1.2018

ORDER

Facts:

1. The appellant filed RTI application dated 14.10.2016 seeking information regarding: when did Nandni Chouhan apply for addition of her husband's name to her passport; when/if name of husband was added to her passport; whether Nandni Chouhan applied for change of address in her passport after 4th Dec. 2011 till date of this application, answer in yes or no.
2. The CPIO responded on 7.11.2016. The appellant filed first appeal dated 10.11.2016. The response of FAA is not on record. The appellant filed second appeal on 15.5.2017 before the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant participated in the hearing through video conferencing. The respondent was represented through Counsel Mr. P. Roy Choudhary who was personally present in the hearing.

4. The appellant stated that respondent has wrongly denied the information u/s 8(1) (j) of the RTI Act. The appellant further state that a case is pending the in the court at Indore. The appellant stated that he wants to know the person who is using his name, therefore information should be provided to him. The appellant said that FAA did not hear him and had given the decision.

5. The respondent stated that the Hon'ble Delhi High Court in several cases has given a finding that passport particular are personal in nature and cannot be disclosed to a third party. The respondent cited following judgments of the Hon'ble Delhi High Court:

- a. Union of India Vs. R. Jayachandran [W.P.(C) 3406/2012]
- b. Ministry of External Affairs Vs. D.K. Pandey [W.P.(C) 8915/2011]
- c. Ministry of External Affairs Vs. K.K. Dharman[W.P.(C) 410/2012]

6. The respondent stated that the Hon'ble Delhi High Court while deciding the above three cases by a common judgment has inter alia ordered that information connected with the passport/passport application details of any individual/documents submitted with passport application form and information connected therewith, being personal information, cannot be disclosed to a third party under the RTI Act.

Discussion/ observation:

7. The action/steps taken by the respondent in dealing with the RTI application is satisfactory, as the information sought by the appellant is third party information which cannot be provided under Section 8(1)(j) of the RTI Act, 2005.

Decision:

8. The Commission's intervention is not required in the matter.

The appeal is disposed of. Copy of the order be given to the parties free of cost.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar