

CENTRAL INFORMATION COMMISSION
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Appeal No. CIC/KY/A/2016/000282
Appeal No. CIC/KY/A/2016/000739
Appeal No. CIC/KY/A/2016/000741

Appellant: Mr. Mukesh Soni Kulthia
166/31, Laxman Vihar II. St.91 Block E,
Nr. Radhey Sweet And Swami Medicos
Gurgaon Haryana.

Respondent: Central Public Information Officer
RPO (CPV-RTI) M/o External Affairs
CPV Divn. Patiala House, Annexe
Tilak Marg, New Delhi- 110001.

Date of Hearing: 10.03.2017

Dated of Decision: 10.03.2017

ORDER

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Facts:

1. The appellant filed RTI application dated 11.09.2015 seeking certified copy of rules and provisions in the Passport Act and Rules related to recognition of travel agent to deal with passport matter; copies of tenders invited to appoint services provider under "The Passport Application Facilitation and Processing Rules, 2010" etc.
2. The CPIO responded on 12.11.2015 and 17.12.2015. The appellant filed first appeal dated 27.10.2015. The response of FAA is not on record. The appellant filed second appeal on 08.01.2016 before the Commission on the ground that information should be provided to him.

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3. The appellant filed RTI application dated 11.09.2015 seeking information regarding list of district passport cells, select speed post centres, citizen service centres in India that existed to facilitate passport issue till May 2010 etc.

4. The CPIO responded on 05.11.2015. The appellant filed first appeal dated 27.10.2015. The response of FAA is not on record. The appellant filed second appeal on 08.01.2016 before the Commission on the ground that information should be provided to him.

Hearing:

5. The appellant did not participate in the hearing. The respondent participated in the hearing through counsel in person.

6. The respondent stated that the information sought by the appellant on point nos. 1 (*Rules and Provisions in Passport Act and Rules related to recognition of Travel agents to deal with passport matters*), 2 (*Rules and Provisions of withdrawal of recognition of Travel Agents*), and 3 (*office order, if any, for withdrawal of recognition of said Travel Agents*), could not be traced in the record and if available, they are ready to furnish the same.

7. The respondent further stated that the information sought on point nos. 4, 5, 6, 7, 8, 9 and 10 is in public domain, which is available on its website 'www.passportindia.gov.in'.

8. The respondent also stated that the reply on point nos. 11, 12 (*GSR copies of tenders*) and 13 (*Applications received in reply to the tenders for appointment of Service Provider under "The PAFP Rules, 2010"*) is awaited from CPV Division, MEA. The respondent also stated that information on point no. 11 (MOU) cannot be provided as it would affect the competitive position of the service providers. The respondent stated that in view of section 8(1)(j) of the RTI Act, 2005, the sought for information on point no. 14 (*Application with approval of tender (with noting) of present Individual/Firm appointed as "Service Provider" to run Passport Seva Kendras*) cannot be provided.

Discussion/ observation:

9. The respondent should provide the information to the appellant on point nos. 1, 2 and 3. The respondent should furnish the appellant the sought Rules and office orders.

10. The respondent should reply to the appellant on point nos. 11, 12, 13 and 14 in 15 days, severing what may impact competitive position or personal information.

Decision:

11. The respondent is directed to take action as per paras 9 and 10 above.
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