

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26186535**

**Appeal No. CIC/BS/A/2015/002189**

Appellant: Mohd. Yusuf Farooq Khan,  
Shop 13, Baba Fakhruddin Shah Telecom  
Near Police Chowky, Amrut Nagar,  
Mumbra Thane-400612  
Maharashtra

Respondent: Central Public Information Officer  
Sr. Supdt., Deptt. of Posts, O/o. Sr. Supdt.,  
Post Offices, Thane, Central Division  
Thane-400601

Date of Hearing: 01.03.2017  
Dated of Decision: 01.03.2017

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 01.06.2015 seeking information regarding: number of post offices functioning in Mumbra area; name of the landlords of these post offices; copies of lease agreements; amount of rent being paid to the landlords of the post offices and other related issues.
2. The CPIO responded on 26.06.2015. The appellant filed First Appeal dated 07.07.2015 with First Appellate Authority (FAA). The FAA responded on 07.08.2015. The appellant filed second appeal on 20.10.2015 before the Commission on the ground that information should be provided to him and to invoke Section 20 of the RTI Act.

**Hearing:**

3. The appellant and the respondent participated in the hearing through video conferencing.
4. The appellant stated that he has not been provided complete information. The appellant stated that he has not been provided the copy of

lease agreement. The appellant stated that there is no fiduciary relation between the landlord and Government of India. The lease amount is being paid from government exchequer. Therefore, the lease agreement and the details of the sub post offices and branch offices working under the Mumbra post office should be provided to him. The appellant also stated that no facility is being provided to the handicapped persons in the post offices. The appellant stated that the respondents are reluctant and avoid receiving the RTI application.

5. The appellant stated that a separate counter for submitting RTI application should be opened in the post office on the ground floor so that the handicapped persons like him are not forced to climb two floors.

6. The respondent stated that except the lease agreement, all sought for information has been provided to the appellant. The respondent stated that the lease agreement is third party information and its disclosure is exempted under section 8(1)(d)(e) of the RTI Act.

**Discussion/ observation:**

7. The Honble High Court of Delhi in its decision dated 22.11.2011 in W.P.(C.) No. 5677/2011 Jamia Millia Islamia Vs. Sh. Ikramuddin has held that:

‘The act of entering into an agreement with any other person/entity by a public authority would be a public activity, and as it would involve giving or taking of consideration, which would entail involvement of public funds, the agreement would also involve public interest. Every citizen is entitled to know on what terms the Agreement/settlement has been reached by the petitioner public authority with any other entity or individual. The petitioner cannot be permitted to keep the said information under wraps.’

**Decision:**

8. The respondent is directed to provide copy of lease agreement of Mumbra post office and full sought information with regard to its sub post offices and branch office, free of cost, within 30 days of this order.

9. The respondent is further advised to designate an officer for receiving RTI applications and a sign-board should be put up to display this. The counter, to receive RTI applications, may be set up at the ground floor of the premises of the post office.

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