

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/CPVEX/A/2019/648045**

Shri Shyamlal Yadav

... अपीलकर्ता /Appellant

VERSUS/बनाम

PIO

...प्रतिवादीगण /Respondent

CPV Division

Date of Hearing : 12.08.2021

Date of Decision : 13.08.2021

**Chief Information Commissioner : Shri Y. K. Sinha**

**Relevant facts emerging from appeal:**

RTI application filed on : 24.06.2019

PIO replied on : 18.07.2019

First Appeal filed on : 18.07.2019

First Appellate Order on : 05.08.2019

2<sup>nd</sup>Appeal/complaint received on : 13.08.2019

**Information sought and background of the case:**

The Appellant filed an RTI application dated 24.06.2019 seeking total number of Indian Passport holders who have surrendered their passports during 2009, 2010, 2011, 2012 and 2013 separately for various reasons.

The CPIO /Dy. Passport Officer(Ops.) vide letter dated 18.07.2019 replied as under:-

2. According to Section 2 (f) of the RTI Act "Information" means "any material of any form". A citizen, under the Act, has a right to get "material" from a public authority which is held by or under the control of that public authority. The information as sought by the applicant is not maintained by the CPIO. The PIO is not required to do research on behalf of citizen to deduce anything from the material and then supply it to him.

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 18.07.2019. The FAA/OSD(PSP) vide order dated 05.08.2019 upheld the reply of the CPIO.

Feeling aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

### **Facts emerging in Course of Hearing:**

In order to ensure social distancing and prevent the spread of the pandemic, COVID-19, hearing through audio conference was scheduled after giving prior notice to both the parties.

The Appellant participated in the hearing through audio conference. He reiterated his written submission dated 10.08.2021 wherein it was stated that same information for different years sought vide an RTI application dated 12.06.2019 was provided vide response dated 21.06.2019.

The Respondent represented by Shri Pavitra Ray Chaudhary, Advocate participated in the hearing through audio conference. He admitted that an incorrect reply was provided by the then CPIO and reiterated the written submission of the CPIO and US (PSP Operations) vide letter dated 10.08.2021 wherein it was stated that statistical information as available on records shall be supplied to the RTI applicant if an order of remand is passed by the Commission.

### **Decision:**

Keeping in view the facts of the case and the submissions made by both the parties, the Commission observes that the RTI application was mechanically replied to by the erstwhile CPIO without application of mind. The Commission thus cautions the erstwhile CPIO and Dy Passport Officer (Ops) Shri Subodh Kumar to ensure that RTI applications are not dealt with in a casual manner in future. The Commission also directs the incumbent CPIO Shri K.K. Meena, US (PSPOperations) to re-examine the RTI application and provide the information by 15.09.2021 under intimation to the Commission.

With the above direction, the instant Second Appeal stands disposed off accordingly.

**Y. K. Sinha** (वाई. के. सिन्हा)  
Chief Information Commissioner (मुख्य सूचना आयुक्त)

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