

Central Information Commission

CIC/AD/C/2009/000995
Dated March 3, 2010

Name of the Applicant : Ms.Tabassum Sultana
Name of the Public Authority : RPO, Bangalore

Adjunct to CIC Decision dt.19.1.2010

Background

1. The Point 4 of the captioned order is reproduced below:
In view of the inclement weather in Delhi because of which trains/flights were cancelled and the Respondent was not able to present his case before the Commission, the Commission gives one more chance to the CPIO to show cause as to why a penalty of Rs.25000/- for delay in supply of information may not be levied upon him/her. He/She is directed to appear before the Commission on March 3, 2010 at 10.30 am along with the explanation for the delay in providing information furnished to the Applicant.
2. The Bench of Mrs. Annapurna Dixit, Information Commissioner, scheduled the hearing for March 3, 2010.
3. Shri Ravindrar. R, PIO and RPO represented the Public Authority.

Decision

4. The Commission received an explanation dated 3.3.10 for the delay in furnishing information from Shri R.Ravindrar, PIO and Regional Passport Officer, Bangalore. The PIO stated in the explanation that the Appellant had submitted her application for her passport with ref.No.BNGW04359407. The passport was granted after taking necessary clarification with respect to discrepancy in the name of the Applicant, and also based on police confirmation of the particulars of the Appellant and of her spouse. The Appellant, however, later applied for change of her spouse's name in the passport to Mohammed Gafoor. The application was returned to the addressee on 24.12.08 requesting the Appellant for an attested copy of her marriage certificate and for a copy of her husband's passport for effecting the change in name of spouse. The Appellant applied again on 15.1.09 but after scrutiny of the application, it was found that the husband's name was different in his passport from that in the marriage certificate/application of spouse and that the Appellant's name was also different in

election IDs of 2002 and 2008. An explanation was therefore called for from the Appellant on 6.3.09 and she was also requested to furnish documentary proof, mentioning previous name (MOHAMMED GAFOOR JAHED MIYA) and present name (MOHAMMED GAFOOR) along with clarification letter with 1994 passport copy of husband. According to the Respondent, a reply is still awaited from the Appellant. Meanwhile, the Appellant had filed an RTI application on 21.4.09 which was received on 30.4.09 seeking information on delay and it was replied to on 4.5.09 and dispatched on 5.5.09. The Appellant was informed about the status of the passport and a copy of letter dt.6.3.09 seeking clarification was also enclosed along with the reply. The Appellant, however, filed yet another RTI application on 17.8.09 seeking again information on the status of the application. The RTI request was received on 26.8.09 and the request was processed on file and CPIO's signature was taken on 22.9.09. However, there was delay in dispatch of the reply by the concerned section. The Respondent informed the Commission that the passport office has initiated an inquiry into the delay. He further added that the Appellant is fully aware of the lacunae in her application for correction in name of her husband and that replies to all her RTI applications have been furnished on time.

5. During the hearing, Shri Ravindra produced before the Commission relevant register which clearly indicated that the reply to the RTI application was signed by him and sent for dispatch on 25.9.09. However, it was dispatched only on 15.10.09 by the dispatch section. He assured the Commission that enquiry has been initiated and appropriate disciplinary action in the form of a warning would be issued to the concerned staff in the dispatch section for the lapse on their part.
6. The Commission on review of the explanation provided is of the view that there is no willful delay in supply of information, and condones the delay and drops the penalty proceedings against the PIO. The Appellant is advised to submit the required documents for effecting change in name of her spouse in the passport, and the PIO may provide a copy of the enquiry report along with information on action taken on any action taken on staff based on the report, to the Appellant by 10.4.10.
7. The appeal is accordingly disposed of.

(Annapurna Dixit)
Information Commissioner

Authenticated true copy:

(G.Subramanian)
Deputy Registrar

Cc:

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The CPIO &
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3. Officer incharge, NIC
4. Press E Group, CIC