

Central Information Commission

CIC/AD/A/2009/000695

Dated June 22, 2009

Name of the Applicant : Mr.K.B.Srivastava

Name of the Public Authority : Dept. of Posts, Jammu

Background

1. The Applicant filed an RTI application dt.15.10.08 with the CPIO, DoP, Jammu. He requested for copy of service book of Mr. T. R. Anand, Retd. P.S.Group B Officer, J&K Circle. On not receiving any reply, the Applicant filed an appeal dt.31.12.08 with the Appellate Authority. The CPIO replied on 19.2.09 stating that the RTI application was not addressed to designated CPIO in this circle due to which it reached the CPIO late. He stated that the information called for, was not available in his office since the said officer had retired from service on superannuation 30.6.03 & preservation period of the service book of the retired officer was three years after issue of final pension/gratuity payment order having already expired. He further added that after protracted correspondence with other quarters, service book under reference was located. Since the information requested for, relates to a third party and Applicant had not mentioned the purpose or relation to any public interest, the said third party was given a notice u/s 11(1) of RTI Act, 2005 with intention to disclose the information. In response to the notice the said third party had objected disclosure of his personal information and preferred an appeal before the Appellate Authority. He added that the information, therefore, will be supplied subject to the decision of the Appellate Authority. The Appellate Authority replied on 28.3.09 stated that there is no valid justification for supply of the documents as sought by the Applicant and rejected the appeal. Aggrieved with the reply, the Applicant filed a second appeal dt.8.5.09 before CIC reiterating his request for the information.
2. The Bench of Mrs. Annapurna Dixit, Information Commissioner, scheduled the hearing for June 22, 2009.
3. Mr. A.K. Hanjuru, APMG(S) cum CPIO and Mr. Kushal Vashisht, DPS, J&K Circle cum Appellate Authority represented the Public Authority.

4. The Applicant was present during the hearing.

Decision

5. Since most of the information available in the Service Register is already in the Public domain, the Commission directs the CPIO to provide the information after applying the severability clause 10(1) of the RTI Act 2005 to sever those parts of the information exempted under Section 8(1)(f), to the Appellant by 20th July, 2009.

6. The appeal is disposed off.

(Annapurna Dixit)
Information Commissioner

Authenticated true copy:

(G. Subramanian)
Asst. Registrar

Cc:

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