

CENTRAL INFORMATION COMMISSION

Appeal No.2973/ICPB/2008

F.No. CIC/PBA/2008/00663

October 27, 2008

In the matter of Right to Information Act, 2005 – Section 18/19

[Hearing on 14.10.2008 at 5.00 p.m.]

Appellant: Ms. K. Sharada

Public authority: D/o Food & Supplies Department
Mr. Vijay Khanna, Asst. Commissioner & CPIO

Parties Present: For Respondent:
Mr. Vijay Khanna, Asst. Commissioner
Mr. V.B. Rai, FSO

For Appellant:
Mr. Trideep Pais
Bijoylaxhmi Vilas

DECISION

This case was taken up for hearing on 14.10.2008, which was attended by the representative of the appellant. The public authority was represented by the Assistant Commissioner along with the FSO. After going through the documents on record and after hearing the parties the appeal is disposed of as under:

2. The appellant has sought information by way of his application dated 27.12.2007 addressed to PIO, Department of Food & Supply, Janakpuri, new Delhi the information pertaining to ration card of a third party, namely, Mr. Suhas Chakma by raising three queries as mentioned in the application. The appellant is asking for a copy of the ration card as well as the documents submitted by Mr. Suhas Chakma at the time of applying for such ration card. The PIO by his reply dated 15.1.2008 has denied the information under section 8(1)(j) of RTI Act citing the information is a third party information and the third party, viz., Mr. Suhas Chakma denied to disclose this information. Before receipt of PIO's reply, the appellant preferred first appeal before the first AA on 31.12.2007. The appellate authority has directed the PIO to furnish the information in respect of query no.1 and he also denied the information against query no.2 & 3 under section 8(1)(e) & (j) of RTI Act. Aggrieved the appellant preferred this appeal before the Commission on 8.4.2008.

3. Comments were called for from the public authority vide letter dated 10.7.2008, which was received from the Assistant Commissioner (West) on 22.7.2008. Considering the facts and circumstances of the case, it is clear that the information sought is concerned with a third party and whatever papers he has submitted for obtaining ration card cannot be given under RTI Act. The authorized representative for the appellant has been arguing during the hearing that Mr. Suhas Chakma is not a citizen of India but he has been issued with the ration card. It was indicated that ration card is issued only on the presumption of an applicant to be a citizen of India. Only when some complaint is received action will be taken against such individual who has given false undertaking. Therefore I reject the appeal.

Let a copy of this decision be sent to the appellant and CPIO.

Sd/-
(Padma Balasubramanian)
Central Information Commissioner

Authenticated true copy :

(Prem Singh Sagar)
Under Secretary & Assistant Registrar

Address of parties :

1. Mr. Vijay Khanna, Asst. Commissioner & CPIO, Department of Food & Supplies, Hall No. 152, C-Block, Community Centre, Janakpuri, New Delhi-110058
2. Ms. K. Sharada, B-21, Jain Park, Kiran Garden, Uttam Nagar, New Delhi-110059