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**APPLICATION UNDER SECTION 6 FOR SEEKING THE RIGHT
OF INFORMATION ACT, 2005**

From
R.RAGAVENDRAN, Advocate,
NO.152, 6th Floor,
Thambu Chetty Street,
Chennai – 600 001 , Tamil

Admission

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To
The Public Information Office
Ms. Vijayalakshmy S
Second Secretary (Administrative)
Embassy of India
PO Box: 1727, PC-112
Diplomatic Area, Al Khuwair
Muscat , Sultanate of Oman

PART - I

1. Name and address of the Applicant : R.RAGAVENDRAN, Advocate,
: No.152, 6th Floor,
Thambu Chetty Street,
Chennai – 600 001
2. Telephone No./Mobile No. : 9940383882

PART - II

- (I) Specify the particulars of :
1. Whether a Power of Attorney was signed and executed by Mr. Maiyalagan who is residing at P.O.Box No.1842, Ruwi, Sultanate of Oman, P.C.112 before P. Haridasan, Asstt. Consular Officer, Embassy of India, Muscat on 03.03.2010 vide C10029/Mus/10?
 2. If so kindly provide the details and copies of the same
 3. Whether enclosed photocopy of the Power of Attorney is the genuine copy of the Power of Attorney detailed in the query no.1?
- (II) Whether the information :
Sought for is required :

- To be supplied :
a) In printed form : Either Printed or Xerox
- (iii) Whether inspection of :
Records also sought : Yes
- (iv) Whether application fee :
of Rs.10/- paid and, if so, :
please specify mode :
of payment : Postal order *bearing No:- DSF 925162*

DECLARATION OF THE APPLICANT

- (i) I am a bonafide citizen of India and owe allegiance to the sovereignty, unity and integrity of India and have not voluntarily acquired the citizenship of another country.
- (ii) The information given by me in this form is true and I am solely responsible for its accuracy.
- (iii) I undertake to pay further necessary charges on demand if any.

Place: Chennai
Date : 15.02.2014



APPLICANT

भारत का राजदूतावास
मस्कत

EMBASSY OF INDIA

P.O. Box 1727, Ruwi, Postal Code 112

Muscat, Sultanate of Oman

Tel. : (968) 24684500

Fax : (968) 24698291

Website : www.indemb-oman.org

E-mail : indiamct@omantel.net.om

cons.muscat@mea.gov.in

attachecw@indemb-oman.org



Urgent/RTI Matter

السفارة الهندية

ص.ب: ١٧٢٧ روي: الرمز البريدي: ١١٢

مسقط، سلطنة عمان

هاتف: ٢٤٦٨٤٥٠٠ (٩٦٨)

فاكس: ٢٤٦٩٨٢٩١ (٩٦٨)

Mus/RTI/551/1/2014 -13

May 15, 2014

Subject: First appeal by Shri R. Ragavendran under the RTI Act. 2005

The Appellant had filed an application under the RTI Act, 2005 vide his letter dated 15.2.2014, requesting for information from the PIO of this Mission on the subject of the fact of execution of a Power of Attorney by one Mr. P. Maiyalagan at this Mission and the veracity thereof by supplying a photocopy of the same available with him as the Applicant.

2. The application was received by the PIO in the Embassy of India, Muscat on 2.3.2014 and the PIO had responded to the Applicant vide her letter dated 17.03.2014 denying him the requisite information replying that he had sought information about a third party, and that as per the RTI Act, disclosure of such information is exempt under Section 8 (1) (j) since the personal information sought by him did relate to a third party and had no relation to any public activity or to public interest. The Applicant was not satisfied with the information. Accordingly, he made his first appeal dated 23.4.2014.

3. The Appellant has argued in his appeal that a Power of Attorney is always a public document through which a person announces to the world that his rights shall be bequeathed and executed by his appointed agent and hence the Powers of Attorney always start with words 'Know all men by these presents'.

4. The subject papers have been perused to see whether there has been any reasonable grievance of the Appellant on his being denied the information he had sought as an Applicant under the RTI Act, 2005. It is seen from the reply given by the PIO that it has been held that the Power of Attorney executed by an individual would constitute information pertaining to a third party and does not involve any public activity or interest. However, the Appellant has contended that a Power of Attorney, for the purpose of its execution, is an open document as the Principals sign to announce to one and all on the authority being vested by them with the named entrusted person(s) for the nature of actions defined therein.

5. The Appellate Authority agrees with the reasoning advanced by the Appellant that a Power of Attorney signed by the Third Party for usage in activities involving different official agencies of the Government, the information contained in such a Power of Attorney does no longer remain information purely of a personal nature. Therefore, the information asked for by the Applicant can be provided to him under the RTI Act, 2005. So far as the question of service of any notice under the Section 11 of the RTI Act, 2005 to the Third Party before making the information available to the Applicant is concerned, the information being not of a 'confidential' nature for the Third Party, there appears to be no requirement of such a notice.

6. The PIO may provide the requisite information to the Applicant at the earliest. This disposes of the appeal accordingly.

(Bimal Saigal)

Deputy Chief of Mission, and
Appellate Authority (RTI)

1. Shri R. Ragavendran, Advocate, No. 152, 6th Floor, Thambu Chetty Street, Opp. High Court, Chennai, Tamil Nadu.
2. Smt. Meera Sisodia, US(RTI), MEA, Jawaharlal Nehru Bhawan, New Delhi
3. Smt. Vijayalakshmy Sunderrajan, SS|(Admin)/PIO

