



प्रधान सीमा शुल्क आयुक्त (सामान्य) कार्यालय  
OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL)

नवीन सीमा शुल्क भवन, बलार्ड इस्टेट,  
NEW CUSTOM HOUSE, BALLARD ESTATE,  
मुंबई/MUMBAI- 400 001

[टेली फोन न. /Tel. No. (022) 22634330 फैक्स न/Fax No (022)22757416]

फा सं : RTI/APPEAL/GEN/BSM/34/2018-19

आदेश तिथि : 23.08.2018  
जारी करने की तिथि :23.08.2018

आदेश संख्या: 34/2018-19

द्वारापारित :डॉ. बी. एस. मीना  
अपर सीमाशुल्क आयुक्त  
सूचना का अधिकार अधिनियम के प्रथम अपीलिय प्राधिकारी  
प्रधान सीमा शुल्क आयुक्त (सामान्य) का कार्यालय  
नवीन सीमा शुल्क भवन,  
बेलार्ड इस्टेट, मुंबई- 400 001

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प्रस्तावना

- 1) यह प्रति उस व्यक्ति के प्रयोग के लिए निःशुल्क है जिसके लिए यह पारित किया गया है।
- 2) सूचना का अधिकार अधिनियम 2005 धारा की 19 (3) के तहत इस आदेश के विरुद्ध अपील, आदेश पारित करने की अंतिम तिथि या आदेश प्राप्ति की तिथि से 90 दिनोंके भीतर, केन्द्रीय सूचना आयोग, नई दिल्ली में की जा सकती है।
- 3) इस आदेश में प्रस्तावना सहित कुल 03 पृष्ठ सम्मिलित हैं।

## BRIEF FACTS OF THE CASE

**Subject: - Appeal filed by Shri Ahmad Ameer, under Section 19(1) of the Right to Information Act, 2005 against CPIO's Order No. RTICG/GEN/97/2018-19 dated 13.07.2018.**

This is an order passed in the case of an appeal dated 18.07.2018, filed by Shri Ahmad Ameer (hereinafter referred to as the Appellant) against the order of the CPIO bearing F.No.RTICG/GEN-97/2018-19 dated 13.07.2018.

Briefly the facts of the case are that the Appellant residing at B.1-16, H.No.-57, P.O- Kankinara Dist-24pgs (North), West Bengal- 743126, had sought following information under the Right to Information Act, 2005 vide his RTI application dated 14.06.2018, received in RTI General, NCH, Mumbai on 15.06.2018; the same are reproduced as under:-

- "1. Seeking copy of the noting sides as well drafting side of the concern file regarding the DPC held for Establishment Order 46/2018 dated 28.03.2018.*
- 2. Seeking a copy of the seniority list of the Preventive Officers who has been promoted/ regularized to the grade of Superintendent in the Establishment Order 46/2018 dated 28.03.2018.*
- 3. Seeking deemed date of the seniority of the ICT candidates who have been promoted in the E.O. 46/2018 dated 28.03.2018."*

The CPIO/RTI (General), NCH, Mumbai vide his Order F. No. RTICG/GEN-97/2018-19 dated 13.07.2018 has disposed of the same, with respect to information sought by the appellant in the RTI application which is reproduced as under:-

*"Point No. 1 : The requested document contains many information or gist of many information and revealing all of them may not be in public interest. Hence the information cannot be provided*

*Point No. 2 & 3 : The information sought is available in this section.*

*The information sought, vide above said application at Point No. 2 & 3 have been received from the concerned sections in 23 pages. The copies of documents as mentioned above, amounts to Rs 46- (Rupees Forty Six only) (23 pgs. x Rs. 2 = Rs. 46/-) as cost of information. The cost of the documents is as per the Right to Information (Regulation of Fee and Cost) Rules, 2005. The payment of the same should be made by way of Cash against proper receipt or Indian Postal Order or Demand Draft or Banker's Cheque favouring "RBI A/c Commissioner of Customs (General), Mumbai-400001. The copies will be provided to you on payment of the amount."*

## GROUND OF APPEAL

Aggrieved by the CPIO's above said reply, the applicant Shri Ahmad Ameer has filed the present appeal on the following grounds:

1. Refused access to information requested. The appellant has sought copy of the noting sides as well drafting side of the concern file regarding the DPC held for Establishment Order 46/2018 dated 28.03.2018 which is denied by the CPIO.

### **PERSONAL HEARING**

The personal hearing was granted to the appellant on 08.08.2018, 09.08.2018 & 10.08.2018 at 11.30 am but he did not turn up for the same.

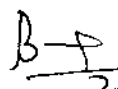
### **FINDINGS**

I have gone through the RTI application dated 14.06.2018 and CPIO reply dated 13.07.2018 and appeal application filed by the appellant dated 18.07.2018.

It has been observed that information sought by the appellant in point no. 2 and point no. 3 was already provided to the appellant by the CPIO. The appellant has filed the present appeal with respect to point no.1 in his RTI application vide which he has asked for copy of noting side as well as the drafting side of the concern file regarding the DPC held for Establishment Order 46/2018 dated 28.03.2018. I am of the view that since the name of the appellant does not appear in the above mentioned file regarding which the appellant has sought information and hence, qualifies as third party information disclosure of which would disclose the names of the officials and signatory authority which has neither any relationship to any public activity nor does it serve larger public interest.

### **ORDER**

In view of the above, the appeal filed by the appellant is rejected as per the provisions of the RTI Act, 2005.

  
(Dr. B. S. Meena) 23/08/2018

APPELLATE AUTHORITY  
ADDITIONAL COMMISSIONER OF CUSTOMS (G),  
NEW CUSTOM HOUSE, MUMBAI.

Copy to :

1. Shri Ahmad Ameer, B.1-16, H.No.-57, P.O- Kankinara Dist-24pgs (North), West Bengal- 743126
2. The CPIO RTI (G) NCH, Mumbai.
3. Office Copy