

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/C/2015/000042

Dated 11.11.2016

Complainant : Shri R.K. Jain,
1512-B,
Bhishm Pitamah Marg,
Wazir Nagar,
New Delhi-110003.

Respondent : Central Public Information Officer,
O/o Dy. Asstt. Commissioner of Customs
Rajiv Gandhi International Airport,
Hyderabad-II Commissionerate,
Shamshabad, Rangareddy District,
Hyderabad.

Date of Hearing : 11.11.2016

Relevant dates emerging from the complaint:

RTI application filed on : 15.04.2014

CPIO's reply : 20.05.2014

First Appeal filed on : 30.05.2015

Complaint filed on : 17.08.2015

ORDER

1. Shri R.K. Jain filed an application dated 15.04.2014 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), O/o Commissioner of Customs and Central Excise, Hyderabad seeking (i) date-wise details of the protocol message received/recorded for departure/arrival of Shri G. Raghuram, President, Customs, Excise and Service Tax Appellate Tribunal (CESTAT) at Hyderabad Airport with details

about date of departure/arrival, destination, flight number, airlines and name/authority from where message received, mode of message for the period 01.03.2013 till date of providing the information, (ii) certified copies of the records relating to the information related to (i) above and (iii) copies of all note sheets and correspondence pages of the RTI file in which this application is dealt with.

2. Shri R.K. Jain filed a complaint dated 17.08.2015 before the Commission on the grounds that the PIO deliberately and malafidely denied the information claiming that the same is third party information and is personal information and no larger public interest is involved. The complainant states that protocol messages cannot be treated as third party information and that the CPIO of the same public authority in the past has provided similar information to the complainant in relation to the same person and even for other persons. The complainant alleges that the First Appellate Authority (FAA) is in connivance with the CPIO in as much as he has not so far decided the First Appeal. The complainant requested the Commission to institute an inquiry into the matter, summon and peruse original records relating to the information, impose penalty on the CPIO for knowingly and malafidely not providing correct and complete information and award appropriate compensation to him.

Hearing:

3. The complainant vide his letter dated 10.11.2016 submitted that due to passage of time, the information sought has outlived its utility and, therefore, he has decided to withdraw the present complaint.

Decision:

4. The complaint is hereby dismissed as 'withdrawn'.

5. Copy of the decision to be provided to both the parties free of cost.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K.Sharma)
Designated Officer