

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110067**  
**Tel : +91-11-26717355**

**Appeal No. CIC/CC/A/2015/004515**  
**Complaint No. CIC/CC/C/2016/000044**

Appellant: Commodore Lokesh K. Batra  
R/o H-02, Sector-25  
Jalvayu Vihar, Noida-201301

Respondent: Central Public Information Officer  
P.M. Office, South Block  
New Delhi – 110011

Date of Hearing: 25.10.2016

Date of Decision: 25.10.2016

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 14.08.2015 seeking information on 4 points regarding details of expenses incurred on Air Travel in respect of foreign visits of Hon'ble Prime Minister and former Prime Ministers, the laid down instructions, process/procedure/steps involved in Chartering Flights for PM's foreign visits and later filing 'Flight Returns' and raising bills/invoices and clearing bills on completion of the visit, copy of bills etc.

2. The CPIO responded on 18.09.2015. The appellant filed the first appeal on 06.10.2015 with First Appellate Authority (FAA). The FAA responded on 03.11.2015. The appellant filed his second appeal and complaint on 21.12.2015 before the Commission on the ground that CPIO and FAA have not provided the desired information.

**Hearing:**

3. The appellant and the respondent both participated in the hearing personally.

4. The appellant stated that the case involves substantive public interest as bailout amount (reported to be in thousands of Crores) being given to Air India is the money of tax payers. The appellant referred to his RTI application and stated that he is seeking information on 4 points regarding details of expenses incurred on Air Travel in respect of foreign visits of Hon'ble Prime Minister and former Prime Ministers, the laid down instructions, process/procedure/steps involved in Charting Flights for PM's foreign visits and later filing 'Flight Returns' and raising bills/invoices and clearing bills on completion of the visit, copy of bills etc. The appellant stated that the PMO website on 13.09.2016 is showing that the Bills are under process for payment or have not been received for journeys under taken by the PM during the period 15.06.2014 to 08 09.2016. The appellant stated that there is a need for reforms by understanding the causes of long delays in payments to Air India.

5. The appellant stated that after 36 days delay, he had received an interim reply dated 18.09.2015 from the respondent stating that the information will be sent as soon as input is received from the office. The appellant stated that the CPIO, not only acted like a Post Office but also made misleading statement by saying that RTI application sent by appellant through e-mail was received 7 days later on 20.08.2015. The appellant stated that the CPIO had malafidely misled him.

6. The appellant stated that as no information was received, he filed first appeal on 06.10.2015. The FAA vide order dated 03.11.2015 directed the CPIO to provide the information within 10 working days. The appellant stated that on not getting information till 130<sup>th</sup> day of RTI, he filed complaint on 21.12.2015 before this Commission. The appellant stated that his request for inspection of files has not been considered. The appellant stated that the respondent is under obligation to transfer the RTI application within 5 days of receipt of the application but his application was transferred after delay of more than 4 months to the Ministry of External Affairs. The appellant stated that such a delay constitutes gross negligence on the part of the respondent in dealing with the RTI application.

7. The appellant stated that he received a letter dated 23.12.2015 whereby he was informed that his application has been transferred to the Foreign Secretary, Ministry of External Affairs. The appellant stated that in the endorsement of the said letter to the appellant, the respondent tried to answer the RTI application by stating that the sought for information is exempt from disclosure under clause (g) of Section 8(1) of the RTI Act.

8. The appellant stated that he was informed by the Ministry of External Affairs vide letter dated 29.02.2016 that after the completion of the visit of the Hon'ble Prime Minister, the bills received are forwarded to Prime Minister's Office for settlement. The appellant stated that the requisite information is held with the respondent and thus, the respondent be directed to provide the information and compensate him, for the mental agony, harassment suffered and expenses incurred, with a sum of Rs One (Rs 1/-) as a token. The appellant further requested the Commission to take action against the respondent under section 18 and 20 of the RTI Act.

9. The respondent stated that the RTI application received through email are very less in numbers. They open the email once in a week. The wrong mention of the date of the date of receipt of RTI application was a bonafide mistake. The respondent stated that the MEA is the nodal agency and, therefore, the appellant's RTI application was transferred to them. The respondent stated that appellant, in compliance of the first appellate authority order, was informed vide letter dated 23.12.2015 that the record pertaining to flights of PM contain information which have security issues and hence it is exempt from the disclosure under section 8(1)(g) of the RTI Act.

10. The respondent stated that MEA had also replied to the appellant on 29.02.2016 that the information on the matter falls under the category where the disclosure of information would prejudicially affect the sovereignty and integrity of India and security interests of the State and hence attract the provision of section 8(1)(a) of the RTI Act. The respondent stated that in view of the security reasons, the file inspection also cannot be allowed to the appellant.

11. The appellant stated that travel bills and process for settlement of the same do not contain details of security. Therefore, the security reason does not arise in providing the requisite information in the public interest.

**Discussion/ observation:**

12. The Commission observed that without perusal of the file, it cannot be decided that whether the sought for information contains security related information.

**Decision:**

13. Respondent is directed to produce one representative file before the Commission before 18.11.2016.

14. The matter is adjourned and may be listed for further hearing after 18.11.2016.

A copy of the order be given to the parties free of cost.

**(Radha Krishna Mathur)**  
**Chief Information Commissioner**

Authenticated true copy

(S.C. Sharma)  
Dy. Registrar