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मुंबई पोर्टन प्राधिकरण
Mumbai Port Authority

संपदा अनुभाग

पोर्ट भवन, दूसरा माला

शूरजी वल्लभदास मार्ग, बेलाई इस्टेट,

मुंबई - 400 001.

Estate Division,
Vijay Deep, 3rd floor,
S.V. Marg, Ballard Estate,
MUMBAI - 400 001.



No.EM/U-1/SE-24/RTI/5279

7 DEC 2023

To :

Shri Mahendra Deokate
C-604, element 5 chs,
Behind Shivar Hotel,
Pimple Saudagar,
Pune-411017

Sub : Order No.8 of 2023-24

Ref : Online Appeal Registration No.MPTRS/A/E/23/00010
dated 20.11.2023.

RTI applicant Shri Mahendra Deokate has preferred an Appeal dated 20.11.2023 to the Appellate Authority and WHEREAS, Shri Mahendra Deokate had preferred an application dated 28.10.2023 under the Right to Information Act, 2005 to the Central Public Information Officer of Estate Division of Mumbai Port Authority. The description of the information sought is as under :

"I need lease deed copies of land leased out to following Customer Codes.

1. 10101131 (HPCL)
2. 10101135 (HPCL)
3. 10101143 (IOCL)
4. 10101144 (IOCL)
5. 10101210 (BPCL)
6. 10105124 (IOCL)"

AND WHEREAS, the CPIO of the Estate Division, by letter dated 16.11.2023, interalia informed to the applicant as under :

"The information is held in fiduciary relationship with the respective Oil Companies viz. BPCL, HPCL & IOCL. Moreover, there is no larger Public interest involved which warrants the disclosure of such information. Hence, the same cannot be furnished as per Section 8 (1)(e) of Right to Information Act."

AND WHEREAS, Shri Mahendra Deokate has preferred an Appeal dated 20.11.2023 on the grounds that, refused access to information requested.

AND WHEREAS, the undersigned has gone through the application made by Shri Mahendra Deokate, the reply issued by the Central Public Information Officer of the Estate Division and the points made in the appeal as well as the comments of the CPIO thereon.

AND WHEREAS, the undersigned is satisfied that, there is no larger public interest involved in the disclosure of information. Moreover, the information is held in fiduciary relationship in terms of Section 8(1)(e) of RTI Act. Hence, the undersigned is satisfied with the reply given by CPIO to the RTI applicant.

NOW THEREFORE, the appeal is disposed of with the above observation.

If, Shri Mahendra Deokate, is not satisfied by this order, he may prefer second appeal to the Central Information Commission, together inter-alia with the following documents.

- (i) Self attested copies of the Orders or documents against which the appeal is being preferred.
- (ii) Copies of documents relied upon by the Appellant and referred to in the appeal and
- (iii) An index of the documents referred to in the appeal.

A format of the Second Appeal is enclosed for ready reference.

Mumbai dated this 5th day of December 2023

D.A: Format of Second Appeal

भवदीय,


(श्री जी.ए. शिरसाठ)

संपदा प्रबंधक (प्रभारी),
& प्रथम अपीलीय प्राधिकरण,
मुंबई पत्तन प्राधिकरण

Format of Appeal under section 19 (3) of the Right to Information Act, 2005

(to be submitted in duplicate)

To:

The Registrar,
Central Information Commission,
2nd Floor, 'B' Wing,
August Kranti Bhavan,
Bhikaji Cama Place,
New Delhi – 110 066.

1. Names and Address of the Appellant including phone No. and e-mail id.:
2. (I) (a) Name and address of the CPIO against the decision of whom the appeal is preferred.
 - (b) Date of filing of Application
 - (c) Date of order of the CPIO
 - (d) Date of receipt of the order by the Applicant/Date of deemed refusal
 - (e) Particulars of deposition of the fee
- (II) (a) Name, Designation and Address of the First Appellate Authority:
 - (b) Date of filing First Appeal
 - (c) Date of order of the First Appellate Authority
 - (d) Date of receipt of order of the First Appellate Authority/Date of deemed refusal
3. Particulars of the order including number, if any, against which the appeal is referred:
 - 3.1 Last date for filing an appeal if condonation for delay is sought:
4. Brief facts leading to the appeal:

5. Prayers or relief sought:
6. Grounds for prayer or relief sought:
7. Any other information necessary for deciding the appeal:

- DA:
1. Copy of RTI Application with proof of payment of fee
 2. CPIO's Order
 3. Copy of First Appeal.
 4. Copy of First Appellate Authority's Order
 5. Documents relied upon in the Appeal.
 6. Index of documents in appeal.
 7. Chronologically listed dates on progress of disposal of the RTI Application.
 8. Proof of submission of copy of second appeal to CPIO and First Appellate Authority.

Place:
Date:

Signature of the Appellant

DECLARATION

I, _____ (Name of the appellant), son of/daughter of/wife of _____ hereby declare that the particulars furnished in the appeal are to the best of my knowledge and belief, true and correct and that I have not suppressed any material facts.

I further certify that the matter under appeal have not been filed previously or pending with any court or tribunal or with any other authority.

Place:
Date:

Signature of the Appellant