

CENTRAL INFORMATION COMMISSION

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F.No. CIC/AT/A/2006/00080-82,84-90, 97

(11 cases)

Dated the 26th June, 2006

Appellant: Shri Arun Verma, B-10/7163, Vasant Kunj, New Delhi-110 070.

Respondents: Ms Umpa Chaudhary, Joint Secretary (A&LH) & AA, Department of Animal Husbandry, Dairying & Fisheries, Krishi Bhawan, New Delhi-110001.

Shri Ajay Bhattacharya, Joint Secretary (Fisheries) & AA, Deptt. of Animal Husbandry, Dairying & Fisheries, Krishi Bhawan, New Delhi-110001.

Shri S.K. Srivastava, CPIO, Deptt. of Animal Husbandry & Dairying, Ministry of Agriculture, Krishi Bhawan, New Delhi-110001.

The 11 appeals filed by Shri Arun Verma have come up for hearing in a batch as they relate to common subject. The CPIO and the appellate authority (AA) are identical in all the cases. It has been brought to our notice following restructuring of work in the Department of Animal Husbandry, Dairying and Fisheries. Shri Ajay Bhattacharya, JS has taken over as appellate authority.

2. The appellant has withdrawn 4 of the 11 appeals which are :-

- a) Appeal No. CIC/AT/A2006/00080;
- b) Appeal No. CIC/AT/A/2006/00087;
- c) Appeal No. CIC/AT/A/2006/00088; and
- d) Appeal No. CIC/AT/A/2006/00089.

3. The hearing was held today (i.e.8.6.06). The appellant was present in person. The appellate authority was represented by Ms Umpa Chaudhary, JS, Shri Ajay Bhattacharya, JS and the CPIO, Shri S.K. Srivastava was present.

4. After hearing the appellant, the AA and the CPIO, with the concurrence of both the parties, decided as follows:-

1. File No. CIC/AT/A/2006/81 – Information on certain persons repeatedly involved in getting deep sea fishing vessels into India in fraudulent manner:

The CPIO will allow the appellant to inspect the connected files and take copies of documents.

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2. **File No. CIC/AT/A/2006/00082** – Information on the 95 Fishing vessels for which the Department had issued letters of permission:

The information requested here appears to be voluminous as it relates to 95 vessels, comprised in 25 files. The CPIO and the AA were not quite sure as to what specific information the appellant wished to have. Besides, in respect of 7 files out of the 25, there was a third party angle who had objected to disclosure of information.

It is now decided that the appellant shall be allowed to access and inspect all files, other than the 7 files in respect of which there was third party objection. He will be free to take out copies of documents from the 18 files which were not objected to by the third party.

The CPIO will hear the plea of the third party for non-disclosure in respect of the 7 files and make a determination about the validity of the objection as per Section 8(1) (j), Section 11 (1) as well as Section 7(7) of the RTI Act.

3. **File No. CIC/AT/A/2006.00084** – Inspection of (a) File No. 21005/1/2001/Fy(Ind) named “Illegal Fishing Vessels,” (b) Files of M/s Prem Fin-Cap Pvt. Ltd; and (3) Files of M/s Dragon Fisheries Pvt. Ltd:

According to the information given by the AA and the CPIO, the information requested by the appellant is comprised in three files, in one of each, there is a third party involved, who has objected to the disclosure of information.

The CPIO will take a decision regarding its validity under Section 8(1)(j), 11(1) and Section 7(7).

In respect of the other files, the appellant shall be allowed access and to take such notes, copies etc. as he may wish.

4. **File No. CIC/AT/A/2006/00085** – Information on Charter Fishing Permits issued by Govt. of India:

The appellant shall be allowed to inspect the files containing this information and take out necessary copies, if he so wishes.

The CPIO will provide this information to the appellant.

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5. **File No. CIC/AT/A/2006/00086** – Information on certified photocopies of Letters of Permission (LOP's) issued by D/o AH&D.

Information may be given within one week.

6. **File No. CIC/AT/A/2006/00090** – Inspection of 7 files i.e. Files of (1) M/s Priyansh Sea Foods Pvt. Ltd.; (2) M/s Siri Sea Foods Pvt Ltd; (3) M/s Affable Fisheries Pvt. Ltd; (4) M/s Crust Foods Pvt. Ltd; (5) M/s Vijeta Marine Pvt. Ltd; (6) M/s N.G. Marine Pvt. Ltd; and (7) M/s Coastal Feed Products Pvt. Ltd:

The information here is comprised in 7 different files, in respect of two of which the appellant has already undertaken inspection. In regard to the other 5 files, the appellant will inform the CPIO/AA the precise information he wishes to have which shall be provided to him within three weeks of the request.

7. **CIC/AT/A/2006/00097** – Information on Action taken on the Foreign Crew Clearance for granting clearance for 44 foreign crew on board fishing vessels Bharti IV and Bharti V of M/s Prem Fin-Cap Pvt. Ltd:

The CPIO will provide the information to the appellant within two weeks.

5. With the above observations, the appeals are allowed.

Sd/-
(A.N. TIWARI)
INFORMATION COMMISSIONER

Sd/-
(PROF. M.M. ANSARI)
INFORMATION COMMISSIONER

Authenticated by –

Sd/-
(P.K. GERA)
REGISTRAR

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Address of parties:

1. Shri Arun Verma, B-10/7163, Vasant Kunj, New Delhi-110 070.
2. Ms Umpa Chaudhary, Joint Secretary (A&LH) & AA, Department of Animal Husbandry, Dairying & Fisheries, Krishi Bhawan, New Delh-110001.
3. Shri Ajay Bhattacharya, Joint Secretary (Fisheries) & AA, Deptt. of Animal Husbandry, Dairying & Fisheries, Krishi Bhawan, New Delhi-110001.
4. Shri S.K. Srivastava, CPIO, Deptt. of Animal Husbandry & Dairying, Ministry of Agriculture, Krishi Bhawan, New Delhi-110001.