

# Central Information Commission

Decision No.304/IC(A)/2006  
F. No.CIC/MA/A/2006/00632

Dated, the 27th September, 2006

Name of the Appellant : Sh. S. Zakir Hussain, Shop No.30, Alsa Mall Complex, Montieth Road, Chennai- 8

Name of the Public Authority: Office of the Commissioner of Customs, Chennai Airport, Air Cargo Complex, Meenambakkam, Chennai – 600 027.

## **DECISION**

### **Facts:**

1. The appellant had sought for detailed information relating to the formalities for clearing Unaccompanied Baggage (UB) at Air Cargo Complex, Chennai, and the details in respect of detention of a person under COFEPOSA.
2. The CPIO informed that *"the details sought by you are falling within the ambit of section 8(1)(h) of the RTI Act. As per Section 8(1)(h) of the RTI Act 2005, information, which would impede the process of investigation or apprehension or prosecution of offenders, are exempted from being provided. Hence it is informed that the information/details sought by you have been exempted from being provided"*.
3. Being not satisfied with the decision of the CPIO, the appellant filed the 1<sup>st</sup> appeal before the appellate authority who ordered for providing the information regarding the clearance formalities being followed at UB Unit at Air Cargo Complex, Chennai. For the rest of the information sought for, he upheld the decision of the CPIO.
4. In his 2<sup>nd</sup> appeal before the Commission, the appellant has contended that the CPIO has not furnished complete information.

### **Commission's Decision:**

5. The information sought for relate to prosecution contemplated by the respondent against the appellant's relative, who is an alleged offender under the Customs Act. Therefore, exemption claimed under Section 8(1)(h) of the RTI Act 2005, from disclosure of information is justified.

6. The appellant has moreover sought the views of the CPIO on various questions asked by him. A CPIO is not expected to offer his comments on queries made by the information seekers. The appellant is, therefore, advised to specify the required information which should be furnished by the CPIO, unless exemption is claimed u/s 8(1) of the Act.

7. The appeal is accordingly disposed of.

Sd/-  
(Prof. M.M. Ansari)  
Information Commissioner

Authenticated true copy:

(L.C. Singhi)  
Additional Registrar

Cc:

1. Sh. S. Zakir Hussain, Shop No.30, Alsa Mall Complex, Montieth Road, Chennai- 8
2. Sh. C. Rajan, Commissioner of Customs & CPIO, Office of the Commissioner of Customs, Chennai Airport, Air Cargo Complex, Meenambakkam, Chennai – 600 027.