

CENTRAL INFORMATION COMMISSION

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F.No.CIC/AT/A/2009/000312

Dated, the 15th June, 2009.

Appellant : Md.Akhtar Usman Moulvi

Respondents : Directorate General of Valuation, Customs.

This matter came up for hearing on 11.06.2009 pursuant to Commission's notice dated 18.05.2009. Both parties were present.

2. Appellant, in his RTI-application dated 15.09.2008 has asked for information relating to the Bills of Entry of third-parties in respect of "*MDF with Veneer Face imported only from Thailand during the period from 2003 to 2007*".

3. Respondents declined to disclose this information, which according to them, was personal to the third-parties and being of commercial interest of that third-party attracted, apart from Section 8(1)(j), Section 8(1)(d) of the RTI Act.

4. Appellant made the point that the information, which he was seeking, was necessary for him to defend his interest in an ongoing proceeding against him before the adjudicating authority of the Department of Customs. He also submitted that this information was regularly collected and tabulated by the Department and could not be described as personal to third-parties or impacting those third-parties' commercial and competitive interests.

5. Respondents countered this plea of the appellant by reiterating their original stand that all Bills of Entry-related matters were essentially commercial in nature whose disclosure was most likely to adversely impact the commercial interest of third-parties. There were decisions of the CIC prohibiting disclosure of this variety of information.

6. I am in agreement with the respondents that the requested information could not be authorized to be disclosed. Commission had earlier decided in *D.Deivasigamani Vs. Customs; Appeal No. [CIC/AT/A/2007/01385](#); Date of Decision: 07.04.2008* that Bills of Entry-related information of third-parties cannot be authorized to be disclosed as it attracted exemption-Sections 8(1)(j) and 8(1)(d) of the

RTI Act. Consistent with those decisions, it is now held that there shall be no disclosure of the requested information.

7. Appeal disposed of with these directions.
8. Copy of this direction be sent to the parties.

(A.N. TIWARI)
INFORMATION COMMISSIONER