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मुंबई पत्तन 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/ASG/HF306(F)/ 2475

24 MAY 2023

To,
Mrs. Pratibha M. Shah
Premises No. 19,55 Shah House
03rd floor, S.B.S Road,
Colaba, Mumbai-400007

Registered A.D.

ORDER NO. 01 of 2023-24

WHEREAS, Mrs. Pratibha M. Shah had preferred an Application dated 16.03.2023 under RTI Act, 2005 to the Central Public Information Officer of the Estate Division of Mumbai Port Authority, which was received in Estate Division on 16.03.2023. The description of the information sought was as under:

Para 3(ii) The period to which the information relates – 1980- till date.

Para 3(iii) Description of the information required –

- 1) Certified copies of list of all properties for which increased lease rent has been ascertained, basis for such ascertaining, amounting and the policy of the Mumbai Port Trust for the same.
- 2) Certified copies of list of persons/properties who have paid the increased lease rent which has been issued by Mumbai Port Trust.
- 3) Certified copies of list of increased lease rent and details for renewal/transfer of properties.

2. **AND WHEREAS**, the Central Public Information Officer of the Estate Division of Mumbai Port Trust by letter No.EM/AS(G)/F-306(A)/29 dated 05.04.2023 replied to the Applicant as under:

'The information sought is not specific. Further, it is voluminous and disproportionate diversion of resources of this division. Accordingly, as per clause No. 6 & 7 (9) of RTI Act 2005, information sought cannot be furnished.'

3. **AND WHEREAS**, Mrs. Pratibha M. Shah has preferred an Appeal dt. 24.04.2023 received in this office on 25.04.2023.

The grounds for appeal are as under:

'(5) 1. The reason for non-availability of information sought by me, by my RTI are invalid.'

4. **AND WHEREAS**, the undersigned has gone through the RTI application dated 16.03.2023 made by Mrs. Pratibha M. Shah, the reply dated 05.04.2023 issued by CPIO of Estate Division, points made in appeal as well as the comments of the CPIO of Estate Division thereon.

At the outset, it is seen from the said CPIO's reply dated 05.04.2023 that the CPIO has not denied information on the basis of non-availability but on the grounds of Voluminous and disproportionate diversion of resources.

However, CPIO is directed to furnish the details of the information related to rent revision policy which is already available in public domain.

Rest of the information being third party information and being voluminous have been rightly denied by the CPIO.

5. **NOW THEREFORE**, the Appeal is disposed off with the above observations.

6. If Mrs. Pratibha M. Shah is aggrieved by this order, she may prefer second appeal to the Central Information Commissioner together inter-alia with the following documents:

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

7. A format of the second appeal is enclosed for ready reference.

Mumbai, dated 24 May, 2022.

DA: Format of Second Appeal.

(G.A. Shirsat)
Estate Manager (I/c) &
First Appellate Authority Officer
Estate Division, MbPA.