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आज़ादी का
अमृत महोत्सव

भारतीय विमानपत्तन प्राधिकरण
AIRPORTS AUTHORITY OF INDIA

ORDER

"THROUGH SPEED POST"

Passed By: Shri Sujoy Dey
Executive Director (Arch.)
First Appellate Authority
Airports Authority of India
Rajiv Gandhi Bhawan
Safdarjung Airport
New Delhi 110003

In the Matter of:

Order No.001/Appeal/ED(Arch.)/2025/24/

Date: 02.04.2025

1.0 **PREAMBLE:**

- 1.1 This Order is made under Section-19 of the Right to Information Act,2005.
- 1.2 An Appeal against this order lies with Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi – 110067.
- 1.3 The Appeal may be filed within 90 days from the date of which this Order should have been made or is actually received.

2.0 **FACTS:**

2.1 Shri Angothu Arun Kumar vide online RTI Request Registration No.AAOIN/R/E/25/00300 dated 23.02.2025 has requested to provide the following information under RTI Act, 2005:

"As cited above I Angothu Arun Kumar, a resident of Chittiramavarm, Kothagudem, and being a citizen of India I would like to know the following information from you under rights conferred in the RTI Act, 2005 to the citizens.

This matter is with reference to Pre-feasibility study conducted on 23rd, January, 2025 with respect to proposed plan of airport establishment at Ramavaram, Garibpeta, Chunchupally village, Kothagudem, Sujathanagar, Chunchapally Mandal, Bhadradi Kothagudem District, Telangana State. In this regard, it is requested to kindly provide following information.

1. Outcome of the Pre-feasibility study conducted on 23rd, January, 2025 and recommendation of the same.
2. Tentatively dates for conduct of subsequent feasibility study"

2.2 CPIO, Dr. Gursewak Manish, General Manager (Plg.) has provided online reply on 24.02.2025 to the Appellant.

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2.3 The appellant preferred an online appeal vide Registration No.AAOIN/A/E/25/00057 dated 13.03.2025 stating "Details not provided". In the text of the RTI First Appeal, the appellant stated as under:

"Respected Madam/Sir, This matter is with reference to Prefeasibility study conducted on 23rd, January, 2025 with respect to proposed plan of airport establishment at Ramavaram, Garibpeta, Chunchupally village, Kothagudem, Sujathanagar, Chunchupally Mandal, Bhadradi Kothagudem District, Telangana State. In this regard it was requested to provide information on outcome of the feasibility study, however AAI denied for information as sought vide Req Reg. No.AAOIN/R/E/25/00300. Hence it is requested to kindly provide information on Outcome of the Prefeasibility study conducted on 23rd, January, 2025 and recommendation of the same."

3.0 **FINDINGS / ORDER**

3.1 Having gone through the matter, it is observed that the CPIO, Dr. Gursewak Manish, General Manager (Planning) has provided the following online reply on 24.02.2025 to the Appellant:

"AAI is neither the project Proponent nor the custodian of the information sought. Respective State Government is the custodian of the information sought. On the request of the State Govt., AAI conducts pre-feasibility study for the sites selected by the State Govt. It is important to note that any information held by AAI about the pre-feasibility study conducted on behalf of the State Govt. is held by the public authority i.e. AAI, in fiduciary capacity and, therefore, exempted under section 8(1)(e) of the RTI Act 2005. The information may be obtained directly from the State Govt."

3.2 Upon careful consideration of your appeal and the response given by the CPIO, it is noted that the information sought pertains to a pre-feasibility study conducted by the Airports Authority of India (AAI) at the request of the State Government on payment basis. The CPIO has correctly stated that AAI is neither the project proponent nor the custodian of the information sought. As per the established procedure, AAI conducts pre-feasibility studies for sites identified by State Governments, and the outcomes of such studies are shared with the respective State Governments.

3.3 Furthermore, as rightly pointed out by the CPIO, any information related to such pre-feasibility studies held by AAI is in a fiduciary capacity. Under Section 8(1)(e) of the RTI Act, 2005, disclosure of information held in a fiduciary relationship is exempt unless the competent authority is satisfied that the larger public interest warrants its disclosure. In this case, the information requested pertains to a pre-feasibility study conducted on behalf of the State Government, which is the rightful custodian of the report.

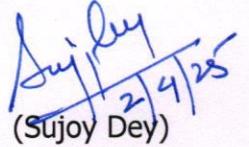
3.4 A fiduciary relationship exists when one party (the fiduciary) holds a position of trust and responsibility with respect to another party (the beneficiary). In such a relationship, the fiduciary is expected to act in the best interests of the beneficiary and not disclose confidential information unless required by law or in the larger public interest. In this case, AAI conducted the pre-feasibility study on behalf of the State Government, which means AAI was acting as a fiduciary for the State Government. The information from the study was created for the State Government's use and is held by AAI in a fiduciary capacity. Therefore, under Section 8(1)(e), AAI is not obligated to disclose this information to a third party.

3.5 Additionally, the information sought involves commercial and security aspects, including strategic and economic considerations. Disclosure could affect stakeholder interests and land acquisition processes. Therefore, it is also exempt under Section 8(1)(d) of the RTI Act, 2005, which protects information that includes commercial confidence, trade secrets, or intellectual property, where disclosure could harm the competitive position of a third party.

3.6 The RTI mechanism is meant for providing available information which is not exempted under the provisions of RTI Act.

3.7 In light of the above, I do not find any infirmity in the response provided by the CPIO. The appellant is advised to obtain the requested information directly from the concerned State Government authority.

3.8 Accordingly, the reply dated 24.02.2025 is as per the provisions of the RTI Act, 2005. Hence, the appeal of Shri Angothu Arun Kumar dated 13.03.2025 stands disposed of.


(Sujoy Dey)

Executive Director (Arch.) &
First Appellate Authority

To,

Copy for information to (ईमेल द्वारा):

1. Dr. Gursewak Mansih, General Manager (Planning)/CPIO (gmplqa@aai.aero), AAI, Rajiv Gandhi Bhawan, New Delhi -110 003.
2. Ms. Nandita Bhatt, Executive Director (Planning) (edplg@aai.aero), AAI, Rajiv Gandhi Bhawan, New Delhi – 110 003.
3. AAI RTI Cell (rti.chq@aai.aero), AAI Rajiv Gandhi Bhawan, New Delhi – For information.