

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/A/2015/000010

Dated 26.10.2016

Appellant : Shri Santanu Kumar Biswas,
75/2, Kalipada,
Mukherjee Road,
Kolkata,
West Bengal-700008.

Respondent : Central Public Information Officer,
O/o Commissioner Customs
(Preventive), Kolkata,
3rd Floor, Custom House,
15/1, Strand Road,
Kolkata-700001.

Date of Hearing : 26.10.2016

Relevant dates emerging from the appeal:

RTI application filed on : 07.02.2015

CPIO's reply : 20.02.2015

First Appeal filed on : 31.03.2015

FAA's Order : 09.04.2015

Second Appeal filed on : 19.06.2015

ORDER

1. Shri Santanu Kumar Biswas filed an application dated 07.02.2015 under the Right to Information Act, 2005 (RTI Act) before the Public Information Officer (PIO), Commissioner of Customs (Preventive) [CC(P)] West Bengal, Kolkata seeking information on fourteen points pertaining to reward in relation to a Seizure Case No. 2/Imp/CL/Police/Ral/92, including (1) whether any reward had been sanctioned by the CC(P), West Bengal in

relation to Seizure Case No. 2/Imp/CL/Police/Ral/92 dated 03.03.1992 (2) if yes, who are the officers of Police & Customs to whom reward had been sanctioned and the amount thereof and (3) whether all the officers of Police and Customs had received the reward amount.

2. Shri Santanu Kumar Biswas filed a second appeal dated 19.06.2015 before the Commission on the grounds that his RTI application was transferred by the CPIO, CC(P), West Bengal to the CPIO, Siliuri Commissionerate, Customs, Central Exise & Service Tax and then the same was transferred to the CPIO, Customs, Siliguri Customs Division/Naxalbari Customs Division/Dinhata Customs Division. The Assistant Commissioner of Customs, Customs Division, Siliguri in his reply stated that the reward sanctioning authority was the then CC(P), W.B. and his office, who may be requested in this matter since the bifurcation of customs jurisdiction to Siliguri Commissionerate was effected in the year 2010. The appellant requested the Commission to direct the CPIO, Siliguri Customs Division to provide correct/complete information to him and take penal action against both the CPIO and FAA for violating the provisions of the RTI Act.

Hearing:

3. Both the appellant Shri Santanu Kumar Biswas and the respondent Shri A.K. Das, Assistant Commissioner of Customs (Preventive) West Bengal attended the hearing through video conferencing.

4. The appellant submitted that information sought from Siliguri, Commissionerate has not been provided to him by the respondent. The appellant further submitted that CC(P), Kolkata informed him vide letter dated 19.02.2015 that the reward has been sanctioned but the payment has to be made by Siliguri Commissionerate. Therefore, information on point no. 10 of the RTI application that relates to Siliguri Commissionerate was not provided to him by the Siliguri Commissionerate.

5. The respondent submitted that point wise information pertaining to CC(P), Kolkata was provided to the appellant vide letter dated 20.02.2015. Hence, no further information remains to be provided in this matter by CC(P), Kolkata.

Decision:

6. The Commission, after hearing both the parties and perusing the records, observes that due information has been provided to the appellant by the respondent. Hence, no further action is required in the matter.

7. With the above observations, the appeal is disposed of.

8. Copy of the decision be provided to both the parties free of cost.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer