

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000021

Dated 26.10.2016

Appellant : Shri Rakesh Kumar Gupta,
Flat No. 292, Pocket-I,
C & D Block,
Shalimar Bagh,
Outer Ring Road,
New Delhi-110088.

Respondent : Central Public Information Officer,
O/o Commissioner of Service Tax,
Delhi-I, 17-B, IAEA House,
Mahatma Gandhi Marg, I.P. Estate,
New Delhi-110002.

Date of Hearing : 26.10.2016

Relevant dates emerging from the appeal:

RTI application filed on : 08.04.2015

CPIO's reply : 30.04.2015 (Transfer)

First Appeal filed on : 18.05.2015

Second Appeal filed on : 19.06.2015

ORDER

1. Shri Rakesh Kumar Gupta filed an application dated 08.04.2015 under the Right to Information Act, 2005 (RTI Act) before the Public Information Officer (PIO), O/o Chairman, Central Board of Excise & Customs, New Delhi seeking information on seven points pertaining to service tax evasion by Escorts Heart Institute & Research Centre Ltd. & Mai Kamli Wali Jan kalyan Charitable Hospital, including (1) what the department has done till date on tax evasion and (2) what service tax had done to provide information related to

RTI reply dated 31.03.2014 and Appeal Order No. IV.916/HQ/TECH/RTI/Rakesh Kumar/11/2014/18666 dated 13.08.2014.

2. Shri Rakesh Kumar Gupta filed a second appeal dated 19.06.2015 before the Commission on the grounds that his RTI application was transferred by the CPIO, CBEC to the CPIO, O/o Commissioner of Service Tax, Delhi-I but he has not yet received any information and that the First Appellate Authority did not respond to his appeal. The appellant requested the Commission to direct the concerned CPIO to provide the information sought, to maintain records/publish information as per provision of Section 4 of the RTI Act and initiate penalty proceeding against the CPIO for not providing the information to him.

Hearing:

3. The appellant Shri Rakesh Kumar Gupta was not present despite notice. The respondent Shri Amit Kumar, Assistant Commission & CPIO, O/o the Commissioner of Service Tax, Delhi-I was present in person.

4. The respondent requested the Commission to grant some more time to present his submissions before the Commission.

Interim Decision:

5. The Commission considered the request of the respondent and adjourns the matter to **10.01.2017 at 1.30 p.m.**

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

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer