

**CENTRAL INFORMATION COMMISSION**

2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066

**Decision No. CIC/SB/C/2015/000074**

**Dated 06.10.2016**

**Complainant** : Shri S.P. Goyal,  
103-A, Krishan Chambers,  
59, Near Marine Lines,  
Mumbai-400 020.

**Respondent** : The Central Public Information Officer,  
Department of Revenue,  
Customs & Central Excise Settlement  
Commission, Principal Bench,  
3<sup>rd</sup> Floor, Samrat Hotel,  
Kautilya Marg, Chanakyapuri,  
New Delhi-110021.

The Central Public Information Officer,  
Central Board of Excise & Customs,  
Directorate General of Human  
Resource Development,  
409/8, Deep Shikha, Rajendra Place,  
New Delhi-110 088.

**Date of Hearing** : 06.10.2016

**Relevant dates emerging from the complaint:**

RTI application filed on : 24.06.2015  
CPIO's reply : 28.07.2015/29.07.2016(transfer)  
Complaint filed on : 10.09.2015

**ORDER**

1. Shri S.P. Goyal filed an application dated 24.06.2015 under the Right to Information Act, 2005 (RTI Act) with the Central Public Information Officer

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(CPIO), O/o Joint Commissioner of Customs (Import), New Delhi on six points regarding letters dated 02.12.2014, 23.12.2014, 31.12.2014 and 12.01.2015 of Joint Commissioner of Customs (Imports), ICD, Tughlakabad, and Affidavit dated 27.01.20125 filed on behalf of the Respondent (UOI) by Shri Rajeev Ranjan, Joint Commissioner of Customs (Import) ICD, New Delhi, including (1) copy of note sheets & total certified copy of the file in which letters mentioned above of Joint Commissioner of Customs (Imports) are dealt with in the office and (2) Bio-data & Service Book, present posting and status of Shri J. Arthur Prem, Asstt. Collector (SIB), New Delhi during January, 1991-1992 and provide Copy of Alert Notice mentioned in Order dated 13/23.08.2004 by Shri Rajiv Rai, Deputy Director.

**2.** Shri S.P. Goyal filed a complaint dated 10.09.2015 on the grounds that the CPIO did not provide a copy of said Alert Circular as mentioned in Order dated 13/23.08.2004 by Shri Rajiv Rai, Deputy Secretary and his RTI application with respect to Point no. 2 was transferred under Section 6(3) of the RTI Act to Ad.II of Department of Revenue (CBEC) and for point nos. 1 & 2, the RTI application was transferred by the Directorate General of Vigilance (DGV) to the O/o Commissioner of Custom(Import) and for point nos. 3-6 the RTI application was transferred to Ad.V Section of CBEC. The complainant requested the Commission to get him a copy of Alert Circular Notice No. 1/91 dated 31.07.1991 from the CPIO and take suitable action against the CPIO for non -compliance of the RTI Act, 2005.

**Hearing on 06.10.2016:**

**3.** The complainant Shri S.P. Goyal attended the hearing through video conferencing. The respondent Shri. Virendra Arora, Assistant Director and CPIO, DG,HRD,CBEC was present in person.

**4.** The complainant submitted that no information has been provided to him on point nos. 3-6 of his RTI application. The complainant submitted that a

copy of the Alert Circular no. 1/91, dated 31.07.1991 has also not been provided to him.

**5.** The respondent submitted that the RTI application in respect of point nos. 3-6 was transferred under Section 6(3) of the RTI Act to the DGV, CBEC vide letter dated 17.07.2015. Further, the respondent also submitted that the RTI application in respect of the Alert Circular as well as the information pertaining to point nos. 3-6 of the RTI application was transferred to CPIO, AD-V, CBEC. Hence, the matter relates to CPIO, AD-V, CBEC to whom the notice of hearing has not been issued.

**Interim Decision:**

**6.** The Commission, after hearing the submissions of both the parties and perusing the records, observes that in the interest of justice it would be appropriate to issue a fresh notice to the CPIO, AD-V, CBEC. In view of this, the case is adjourned to **23.11.2016 at 10.45 AM.**

**7.** Copy of the decision be provided free of cost to the parties.

**(Sudhir Bhargava)**  
**Information Commissioner**

**Authenticated true copy**

**(V.K. Sharma)**  
**Designated Officer**