

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/C/2015/000122

Dated 28.11.2016

Complainant : Shri R.K. Jain,
1512-B,
Bhishm Pitamah Marg,
Wazir Nagar,
New Delhi-110003.

Respondent : The Central Public Information Officer,
Customs Excise & Service Tax
Appellate Tribunal,
West Block-2, R.K. Puram,
New Delhi-110066.

Date of Hearing : 28.11.2016

Relevant dates emerging from the complaint:

RTI application filed on : 01.10.2015

CPIO's reply : 29.10.2015/02.11.2015

Complaint filed on : 12.11.2015

ORDER

1. Shri R.K. Jain filed an application dated 01.10.2015 under the Right to Information Act, 2005 (RTI Act) before the Public Information Officer (PIO), Customs Excise and Service Tax Appellate Tribunal (CESTAT) seeking information on three points, including (i) list of the cases marked 'part heard' at CESTAT, Delhi from 01.01.2014 till date with the name of the parties, date of marking 'part heard' and composition of the Bench with Appeal numbers and (ii) list of part heard matters pending at CESTAT, Delhi as on 01.10.2015 with the name of the parties, date of marking 'part heard' and composition of the bench with appeal numbers.

2. The complainant filed a complaint dated 12.11.2015 before the Commission on the ground that the CPIO by his order dated 29.10.2015 had allowed inspection of the records on 04.11.2015 but before the complainant could undertake the inspection, the said CPIO illegally and malafidely and without authority of law reviewed his decision and cancelled his order dated 29.10.2015 and denied the information by claiming exemption under Section 8(1)(h) of the RTI Act with a view to cause obstruction of the information without any reasonable cause. The complainant requested the Commission to institute an inquiry into the matter under Section 18(2) of the RTI Act, 2005, summon and peruse the original records relating to the information sought, impose a penalty on the CPIO under Section 20(1), recommend disciplinary action against the CPIO under Section 20(2) and award appropriate compensation under Section 19(8)(b) of the RTI Act, 2005.

Hearing on 28.11.2017:

3. Both the complainant Shri R.K. Jain and the respondent Shri V.P. Pandey, Assistant Registrar and CPIO, CESTAT were present in person.

Interim Decision:

4. The Commission, due to administrative reasons decides to adjourn the matter to **24.01.2017 at 11.30 am.**

5. Copy of decision be given free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer