

**CENTRAL INFORMATION COMMISSION**

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

**Decision No. CIC/SB/C/2015/000137**

**Dated 09.11.2016**

**Complainant** : Shri Vara Prasad Dubbagalla,  
H. No. 6-3-26/2,  
Premnagar,  
Khairthabad,  
Hyderabad-500004.

**Respondent** : Central Public Information Officer,  
O/o Commissioner of Customs,  
Central Excise and Service Tax,  
Hyderabad-I Commissionerate,  
Basheer Bagh,  
Hyderabad-500004.

**Date of Hearing** : 09 .11.2016

**Relevant dates emerging from the complaint:**

RTI application filed on : 28.07.2015

First appeal filed on : 16.09.2015

Complaint filed on : 27.09.2015

**ORDER**

1. Shri Vara Prasad Dubbagalla filed an application dated 28.07.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Customs, Central Excise & Service Tax Commissionerate, Hyderabad-I, seeking information on four points relating to inter-zonal transfers, including (1) number of representations along with names and number of years' service rendered in Vizag Zone received from Direct Recruit Inspectors by the Cadre Controlling Authority (CCA) requesting

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transfer from Vizag Zone to Hyderabad Zone during 2015 and (2) whether or not his request for transfer to Hyderabad is acceded to by the competent authority.

2. The complainant filed a complaint dated 27.09.2015 before the Commission on the grounds that the CPIO, neither provided the information nor replied to his RTI application and that the First Appellate Authority (FAA) too did not respond to his appeal. The complainant requested the Commission to impose a penalty of Rs.250 per day on the CPIO till the date of receipt of information by him and pass appropriate orders to initiate disciplinary proceedings against the CPIO for adopting dilatory tactics and willfully causing delay in disposal of the work assigned to him/her.

**Hearing on 09.11.2016:**

3. The complainant Shri D. Vara Prasad attended the hearing through video conferencing. The respondent was not present despite notice.

4. The complainant submitted that no reply in response to his RTI application was given to him by the respondent within the stipulated time. The complainant further requested the Commission to impose a penalty on the erring CPIO for denying the information

**Interim Decision:**

5. The Commission, after hearing the submissions of the respondent and perusing the records, observes that no information has been provided by the respondent to the complainant. Therefore, the CPIO is liable for imposition of penalty in terms of provision under Section 20(1) of the RTI Act, 2005.

6. The CPIO, CCEST is hereby directed to submit an explanation both by post and through e-mail at [do.icsb-cic@gov.in](mailto:do.icsb-cic@gov.in) before the Commission, on or

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before 02.01.2017, explaining why action under Section 20(1) of the RTI Act should not be initiated against him.

7. The CPIO, CCEST is further directed to appear before the Commission through video conferencing on **12.01.2017 at 01.00 pm.** along with a copy of his written explanations.

8. The CPIO is also directed to inform if there is/ are other person(s) responsible for knowingly not providing complete information to the complainant and if so to inform such persons of the show cause hearing and direct them to appear before the Commission through video conferencing on **12.01.2017 at 01.00 pm.** along with his/ their written explanations.

9. Copy of the decision be provided free of cost to the parties.

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

**Authenticated true copy**

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