

**CENTRAL INFORMATION COMMISSION**

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

**Decision No. CIC/SB/A/2015/000186**

**Dated 02.11.2016**

**Appellant** : Shri Subrata Guha Ray,  
136, C.S. Mukharjee Street,  
Konnagar, Hooghly,  
West Bengal-712235.

**Respondent** : Central Public Information Officer,  
Department of Revenue,  
North Block,  
New Delhi-110001.

Central Public Information Officer,  
Directorate General of Vigilance,  
Customs and Central Excise,  
3<sup>rd</sup> Floor, Samrat Hotel,  
Kautilya Marg, Chanakyapuri,  
New Delhi-110 021.

**Date of Hearing** : 02 .11.2016

**Relevant dates emerging from the appeal:**

RTI application filed on : 10.04.2015

CPIO's reply : 14.04.2015/15.07.2015

First appeal filed on : 16.06.2015/27.07.2015

FAA's order : 28.07.2015/15.09.2015

Second appeal filed on : 17.07.2015

**ORDER**

1. Shri Subrata Guha Ray filed an application dated 13.03.2015 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information

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Officer (CPIO), Department of Revenue (DoR) seeking information on four points relating to the complaint from the National Human Rights Commission (NHRC) in Case No. 401/25/15/2012/OC dated 13.03.2012, including (1) whether the said complaint from NHRC was received in the O/o Secretary Revenue, (2) person responsible for giving reply to the complaint of the NHRC and (3) status/action taken in this regard.

**2.** The appellant filed a second appeal dated 17.07.2015 before the Commission on the grounds that he has not been provided the information sought and requested the Commission to impose fine/penalty on the concerned CPIO according to the RTI Act, 2005 or send direction/caution letter to the Department of Revenue, Ministry of Finance for violating the rule of the RTI Act, 2005.

**Hearing:**

**3.** The appellant Shri Subrata Guha Ray attended the hearing through video conferencing. The respondent Shri Vivek Mishra, Under Secretary, DoR was present in person.

**4.** The appellant submitted that he had sought information as to whether the complaint dated 13.03.2012 from NHRC was received in the O/o Secretary Revenue. However, no satisfactory information has been provided to him by the respondent as the CPIO, T.C. Section, DoR stated that 'Nil' information is available with his section. The respondent further submitted that Director General of Vigilance, Customs and Central Excise had informed him that the information was not available with that Office.

**5.** The respondent (DoR) submitted that the CPIO, RTI Cell, DoR had transferred the RTI application of the appellant to CPIO and Under Secretary, Technical Coordination (TC), DoR and Director General of Vigilance, Customs and Central Excise, CBEC vide letter dated 06.05.2015. The respondent further submitted that the appellant was informed vide letter dated 14.04.2015 that no

complaint dated 13.03.2012 was received from NHRC in the T.C. Section, DoR. The respondent also stated that the CPIO, O/o Director General of Vigilance, Customs and Central Excise has provided point wise information to the appellant vide letter dated 15.07.2015. The appellant was informed that no action was required on the complaint forwarded by NHRC.

**Decision:**

6. The Commission, after hearing the submissions of both the parties and perusing the records, observes that point wise information has been provided to the appellant by the CPIO, O/o Director General of Vigilance, Customs and Central Excise, CBEC. Nonetheless, the Commission directs the Nodal CPIO, DoR to provide information regarding the receipt of the said complaint from NHRC in the O/o Secretary Revenue as sought in point no. 1 of the RTI application to the appellant within a period of two weeks from the date of receipt of a copy of this decision. Shri Vivek Mishra, Under Secretary and CPIO, (T.C Section), DoR will ensure that a copy of this decision is served on the Nodal CPIO, DoR.

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

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

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

**Authenticated true copy**

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