

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/SB/A/2015/000504

Dated 20.01.2017

Appellant : Shri R.K. Jain,
1512-B, Bhishm Pitamah Marg,
Opp. ICICI Bank,
Defence Colony, Wazir Nagar
New Delhi-110 003.

Respondent : Central Public Information Officer,
Central Board of Excise & Customs,
North Block,
New Delhi-110 001.

Date of Hearing : 07.12.2016/20.01.2017

Relevant dates emerging from the appeal:

RTI application filed on : 20.07.2015

CPIO's reply : 21.08.2015/18.09.2015

First Appeal filed on : 28.08.2015

FAA's Order : 28.09.2015

Second Appeal filed on : 05.10.2015

ORDER

1. Shri R.K. Jain filed an application dated 20.07.2015 before the Central Public Information Officer (CPIO), Central Board of Excise & Customs (CBEC) seeking information on seven points pertaining to suo-moto disclosure under Section 4 of the RTI Act, tax evasion case of M/s Bhushan Steels Ltd, etc., including (i) date-wise details of the implementation of suo-moto disclosure

under Section 4 of the RTI Act and OM No.1/6/2011-IR dated 15.04.2013 by CX-6, (ii) date-wise and point-wise compliance to CBEC's Instruction F. No.10/51/2013-CX-I dated 19.05.2015 and (iii) list of the files in which the matter concerning M/s Bhushan Steels Ltd., is dealt with and total number of note sheets and correspondence pages in each of the said files.

2. The appellant filed a second appeal dated 05.10.2015 before the Commission on the grounds that the CPIO & Under Secretary (CX-6) has deliberately and malafidely not provided complete and correct information sought by him even though the information was available with the public authority and was not exempted under Section 8 or any other provisions of the RTI Act, with a view to cause obstruction to the information without any reasonable cause. The appellant further stated that the order of the First Appellate Authority (FAA) is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.

Hearing on 07.12.2016:

3. The appellant Shri R.K. Jain, the respondent Shri Shankar Prasad Sarma, Under Secretary (CX.6) and Shri Santosh Mishra, Under Secretary, CBEC were present in person.

4. The respondent requested the Commission to grant him some more time to enable him to properly present the case.

Interim Decision:

5. The Commission considered the request of the respondent and adjourns the matter to **20.01.2017 at 1.30 p.m.**

Interim Decision (20.01.2017):

6. Due to administrative reasons, the hearing has been rescheduled and will now be held on **02.03.2017 at 12.30 p.m.**

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

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer