CENTRAL INFORMATION COMMISSION
2nd Floor, August Kranti Bhawan
Bhikaji Cama Place, New Delhi-110066
website:cic.gov.in

Appeal No.: - CIC/BS/A/2016/001357-BJ

Appellant : Mr. Ashwani Kumar
F-178, F-2, Dilshad Colony,
Delhi-110095
M. 9313540804

Respondent : i) CPIO & DCIT (HQ) (Admn.)
O/o. Pr. CCIT, NWR, Aayakar Bhawan
Sec-17E, Chandigarh-160017

ii) CPIO & ACIT (HQ) (Admn.)
O/o. CCIT, Rishi Nagar, Ludhiana
Punjab

Date of Hearing : 22.05.2017
Date of Decision : 22.05.2017

| Date of filing of RTI applications | 15.01.2016 |
| CPIO’s response | 25.01.2016 |
|  | 15.02.2016 Transfers |
| Date of filing the First appeal | 05.03.2016 |
| First Appellate Authority’s response | Not on Record |
| Date of diarised receipt of Compliant by the Commission | 13.05.2016 |

**ORDER**

**FACTS:**

The Appellant vide his RTI application dated 15.01.2016 had sought information regarding action taken by concerned officer/department on his complaint etc.

The CPIO and Dy. Commissioner of Income Tax, HQ (Admn.) vide its letter dated 25.01.2016 transferred the RTI application under section 6 (3) of the RTI Act, 2005 to CCIT, Ludhiana and CCIT (TDS)-I, Chandigarh. The ITO (Hq.) (T.D.S.)- 1, Chandigarh vide its letter dated 15.02.2016, transferred the RTI Application to Addl. Commissioner of Income Tax (T.D.S.), Ludhiana. The Asst. Commissioner of Income Tax, HQ (Admn.) vide its letter dated 15.02.2016, transferred the RTI application to DGIT (Inv.) Chandigarh. Dissatisfied on not receiving any satisfactory response subsequent to several transfers, the Appellant approached the FAA. The order of the FAA, if any, is not available on the record of the Commission. A copy of all the correspondence was endorsed to the Appellant as well.
HEARING:
Facts emerging during the hearing:
The following were present:

**Appellant:** Mr. Ashwani Kumar (M. 9313540804);

**Respondent:** Mr. Bharat Bhushan, CPIO/ITO(HQ) TDS, Chandigarh (M: 9530797307) and Mr. Gurubaksh Singh, ITO(HQ), Ludhiana (M: 9530703935) Mr. K. K. Verma, Inspector, Ludhiana (M:9530703565) through VC;

The Appellant reiterated the contents of his RTI application and stated that despite several transfers no satisfactory response was provided to him, till date. In its reply, the Respondent Chandigarh submitted that the RTI application was initially transferred by Dy. Commissioner of IT HQ. (Admn.) vide letter dated 25.01.2016 to them and to the CCIT, Ludhiana. The ITO (Hq.) (T.D.S.)-1, Chandigarh subsequently, vide their letter dated 15.02.2016 transferred the RTI application to Addl. Commissioner of Income Tax (T.D.S.), Ludhiana. Subsequently, the RTI application was transferred to the concerned ward ITOs, who had provided a suitable response to the Appellant (not on record of the Commission). The Respondent, Ludhiana submitted that since they were concerned with TDS related matters and the issues raised in the RTI application pertained to investigation, the RTI application was transferred to DGIT (Inv.), Chandigarh. It was further submitted that no first appeal in the matter was received by JCIT, Ludhiana, till date. Responding to the contentions of the Respondent, the Appellant submitted that no response was provided on his RTI application within the timeframe prescribed in the provisions of the RTI Act, 2005 and no updated status of his complaint was provided even after more than 01 year from the date of filing of the RTI application. The Respondent, Ludhiana submitted that the original complaint was received by them on 18.03.2015 and after its categorisation the complaint was transferred to the jurisdiction of Pr. Commissioner, Bhatinda who would be the appropriate authority to respond in the matter.

This Commission referred to an earlier order dated 18/06/2013 (File No. CIC/RM/A/2012/000926 Sh. Ved Prakash Doda v/s ITO) wherein it was held as under:

“6. It has been the stand of the Commission that in respect of a tax evasion petition, once the investigation is completed, the appellant should be informed the broad results of the investigation, without disclosing any details. The appellant has a right to know as to whether the information provided by him was found to be true or false.”

On a query from the Commission regarding the concerned competent Authority to provide a response on the broad outcome of the investigation, the Respondent, Bathinda submitted that Mr. K.M. Bani, Principal Commissioner of Income Tax, Bathinda was the appropriate Authority.
DECISION:

In the light of the facts available on record and the submissions made by both the parties, the Commission directs the Respondent, Mr. K. M. Bani, Principal Commissioner of Income Tax, Bathinda to re-examine the matter and inform the broad outcome of the investigation to the Appellant as soon as the investigation gets completed. In the meanwhile, the updated status of the investigation may be conveyed to the Appellant within a period of 30 days from the date of receipt of this order.

The Appeal stands disposed with the above direction.

(Bimal Julka)
Information Commissioner

Authenticated True Copy:

(K.L.Das)
Deputy Registrar

Copy to:

1- Mr. K. M. Bani, Pr. Commissioner IT, Income Tax Department, Civil Station, Bathinda - 155001