

Central Information Commission  
2<sup>nd</sup> Floor, 'B' Wing, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi-110066.

CIC/AA/A/2017/167  
CICOM/A/2017/00161  
CICOM/R/2017/00223

Name of the appellant : Shri Subrata Guha Ray,  
136, C.C. Mukherjee Street,  
Konnagar, Hooghly,  
Pin – 712 235.

1.	Date of RTI application	22.02.2017
2.	Date of reply of the RTI application	31.03.2017
3.	CPIO(s) who furnished reply	DO to IC(BJ)
4.	1 <sup>st</sup> Appeal Date	20.04.2017
5.	Diary No. of 1 <sup>st</sup> Appeal of the Dak Section	128919
6.	Diary date of the Dak Section	02.05.2017
7.	Date of receipt of 1 <sup>st</sup> Appeal in the office of FAA	03.05.2017
8.	Date of Decision	04.05.2017

**Brief facts of the case:-**

In the RTI application, the appellant has sought following information:-

"Questions No.1) Who provides the information CIC Order No.CIC/SB/A/2016/000110 dated 12.01.2017? (Without question RTI reply is incomplete. First question then reply.)?"

Question No.2) Where is the information of CIC Order No.CIC/SB/A/2016/000110 dated 11.06.2015? (Without question RTI reply is incomplete. First question then reply.)?"

Question No.3) Where is the non compliance of CIC Order No.CIC/KY/A/2015/ 000247 dated 11.06.2015? (Without question RTI reply is incomplete. First question then reply.)?"

Question No.4) Who looks after the Non Compliance of CIC Order? (Without question RTI reply is incomplete. First question then reply.)?"

Question No.5) What is the reason Secretary CIC has not been taken Non Compliance of CIC Order despite the sending the CIC Secretary of the letter of the Department of Personnel Public Grievance and Pensions F.No.11/5/2016-IR-Vol-VI dated 12.05.2016 (Without question RTI reply is incomplete. First question then reply.)?"

Question No.6) What is the reason Central Information Commission is soft minded regarding the Public Authority CBEC who violate the CIC Order repeatedly? (Without question RTI reply is incomplete. First question then reply.)?"

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Question No.7) How many letters the appellant will write before the CIC for Non Compliance of CIC Order – vide CIC diary No.154591/19-08-2015/, 144626/07-07-2015/ and recent CIC diary no.111492/2017, 111511/2017? (Without question RTI reply is incomplete. First question then reply.)?

Question No.8) What is the detailed status report and action report of the CIC Diary No.111492/2017, 111511/2017? (Without question RTI reply is incomplete. First question then reply.)?"

2. Shri K.L. Das, DO & CPIO to IC(BJ) has responded that:-

**"Point No. 1 & 2:-** In CIC order No.CIC/SB/A/2016/000110 dated 12.01.2017, direction has been given to the Respondent (CPIO, Dte. General of Customs and Central Excise, 3<sup>rd</sup> Floor, Samrat Hotel, Chanakyapuri New Delhi) to provide and updated status regarding your complaint dated 17.12.2014. The CPIO is being asked to submit a compliance report in the matter under intimation to you.

**Point No.3:-** The question sought is neither clear nor relevant. It appears that the intention is to know about the compliance of directions issued by the Commission in its order No.CIC/KY/A/2015/000247 dated 11.06.2015. A compliance report in this regard also is being sought from the Respondent with direction to send a copy of the same to you.

**Point No.4:-** It is looked after by the Registries concerned with the subject matter.

**Point Nos.5&6:-** The undersigned has no information to furnish. "Reason" does not come within the definition of information under the RTI Act.

**Point No.7:-** The undersigned has no comments to offer.

**Point No.8:-** Your letters (received vide Dy.No.111492/2017 & 111511/2017) are regarding compliance of Commission's directions in order Nos.CIC/SB/A/2016/000110 dated 12.01.2017 & CIC/KY/A/2015/000247 dated 11.06.2015. Compliance report in both the cases is being sought from the Respondents with direction to send a copy of the same to you also."

3. The appellant has stated in the appeal that FAA should give the instruction to Shri K.L. Das, CPIO for immediately issuing the Show Cause Notice to the CPIO, Directorate General Vigilance Central Excise and Customs, New Delhi for providing wrong information in compliance to the Commission's Order. An email dated 03.05.2017 has also been received in which appellant has stated that the compliance report of the CPIO, Directorate General of Vigilance Customs & Central Excise vide F.No.V-500/RTI/173/2014/10892 dated 07.10.2015 is absolutely wrong and without application of mind.

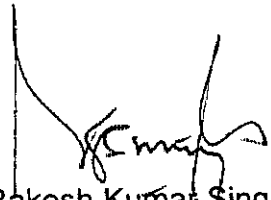
**Decision with reasons:-**

4. After thorough examination of the RTI application, reply of the CPIO and appeal, it is observed that point-wise factual information has been provided by the CPIO, therefore, no intervention is required on the part of the FAA.

5. The appeal is, therefore, disposed off.

6. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the CIC in Room No.185, Ground Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066 against this order within 90 days.

Dated the 4<sup>th</sup> May, 2017

  
( Rakesh Kumar Singh )  
Additional Secretary & First Appellate Authority  
Tel: 26162290

**Copy to:-**

1. The CPIO, RTI Cell, CIC, New Delhi.

