



Central Information Commission

Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan,

Bhikaji Cama Place, New Delhi-110066

Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/SS/A/2011/000924

Dated: 07.02.2012

Name of Appellant : Shri Rajendra Prasad Gupta
Name of Respondent : Office of the Commissioner of Central
Excise & Service Tax, Lucknow
Date of Hearing : 12.01.2012

ORDER

Shri Rajendra Prasad Gupta, the appellant has filed the present appeal dated 15.3.2011 before the Commission against the Office of the Commissioner of Central Excise & Service Tax, Lucknow for not providing information of his RTI-request dated 12.8.2010. The matter came up for hearing on 12.01.2012. The appellant was absent, whereas the respondent were represented by Shri A. Narayan, Deputy Commissioner and Shri Anil K. Srivastava, Superintendent.

2. The appellant filed an RTI-application dated 12.8.2010 seeking "*attested photocopies of all documents i.e. notings on the note sheet and correspondence from File No. 2/Vig/LKO/05 in respect of M/s. Prince International, Jalalabad, District Shahjahanpur from beginning upto 20.8.2007*". The CPIO vide letter No. V(30)/ Tech/ RTI/144/2010/11047 dated 21.9.2010 denied the information on the grounds that it contained confidential and third party information.

3. Aggrieved by the reply of the CPIO, the appellant filed first-appeal on 19.10.2010 before FAA. The FAA vide order No. V(30)/Tech/RTI/Appeal/184/2010/17008 dated 9.11.2010 directed the CPIO to provide all the documents/records not covered u/s 8(1)(g) of the RTI Act; provide the part of the information/documents covered u/s 8(1)(g) ibid

under the provisions of Section 10(1) and 10(2) of the RTI Act, if the CPIO deemed proper and provide the documents covered u/s 11 of the Act after complying the provisions of the said Act.

4. In compliance with the directions of the FAA, the CPIO vide letter No. 627 dated 20.1.2011 the CPIO vide letter dated 3.2.2011 provided all the documents/ correspondence running into 539 pages from file No. 2/Vig/Lko/05.

5. The appellant in his second appeal has contested that inspite of the directions of the FAA, the CPIO has not provided complete documents pertaining to file No. 2/Vig/LKO/05 including the pseudonymous complaint of Shri Ramjan Ali filed therein.

6. In order to put at rest all controversy, the CPIO is hereby directed to provide an opportunity to the appellant to inspect the relevant file, on a mutually convenient date and time, **within two weeks** of the receipt of this order and provide copies of relevant documents from the tile, if not provided earlier, as identified by the appellant, free of cost **within one week** after the inspection of the said file by the appellant.

The matter is disposed of with the above directions.

(Sushma Singh)
Information Commissioner

Authenticated true copy:

(K.K. Sharma)
OSD & Deputy Registrar

Address of the parties:

Shri Rajendra Prasad Gupta,
Superintendent (Review), Central Excise,
Office of the Commissioner of Central Excise & Service Tax,
7-A, Ashok Marg,
Lucknow.

The CPIO,
Office of the Commissioner of Central Excise & Service Tax,
7-A, Ashok Marg,
Lucknow.

The First Appellate Authority,
Office of the Commissioner of Central Excise & Service Tax,
7-A, Ashok Marg,
Lucknow.