

Central Information Commission

Mr.Vijay Kumar Aggarwal vs Gncd on 30 July, 2010

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

Old JNU Campus, New Delhi - 110067

Tel: +91-11-26161796

Decision No. CIC/SG/A/20

Appeal No. CIC/SG

Relevant Facts

emerging from the Appeal:

Appellant : Mr. Vijay Kumar Aggarwal
Chamber NO. 250,
Western Wing,
Tis Hazari Court,
Delhi-54.

Respondent : Mr. Ashok Kumar Pandey
Public Information Officer &
Asst. Commissioner of Customs,
Government of N.C.T. of Delhi
Inland Container Depot,
Tughlakabad Commissionerate,
Delhi-20.

RTI application filed on : 02/03/2010
PIO replied : 09/03/2010
First appeal filed on : 29/03/2010
First Appellate Authority order : Not enclosed.
Second Appeal received on : 22/06/2010

Sl.	Information Sought	Reply of the
1.	Detailed list of all the employees currently posted at the SIIB department of the ICD, Tughlakabad, Delhi.	The information sought is enclosed.
2.	The policy pertaining to the tenure for which an employee can remain posted at the SIIB department. Reasons why Shri Satbir Singh and Shri Shaminder Chhabra (inspector), personnel of the SIIB have been posted there beyond their specified tenure.	Tenure of Shri Satbir Singh and Shri Shaminder Chhabra with SIIB Branch

3. The number of personnel deployed beyond one year in the SIIB Not replied.

department.

4. The number of persons who are not on the payroll of the Customs Shri Joginder Singh and Shri department but are currently deployed at the refund section and the Devender Singh were not working SIIB section. Whether persons named Shri Joginder Singh and Shri in the SIIB and Refund sections Devender Singh have been working in the SIIB and Refund sections respectively.

respectively. If yes, then specify under what capacity/designation they have been working there and what kind of jobs they have been entrusted with and under whose orders they have been deployed in the said department.

5. Whether the SIIB section maintains the daily duty register book or No such register was maintained.

not .If yes, then the details contained therein along with the name of the person who allocates the duty on a daily basis to the subordinate personnel.

6. Whether any PILs has ever been filed against the organization on Information may be taken from account of corruption charges; whether any of the personnel of the the cadre controlling authority. SIIB/Refund section/ department has ever been prosecuted for corruption charges or departmental enquiries has ever been instituted against them. If yes then give the detail of the same.

7. The number of RTI applications that have been filed seeking Information sought was not information pertaining to the SIIB, REFUND SECTION, along with specific. copies of the same.

8. Details of the offenders that have been booked for duty evasion or for Information was enclosed. fraudulent drawback claims in import and export along with the amount of revenue that was collected from the alleged wrongdoers. Grounds for the First Appeal:

Unsatisfactory information provided by the PIO.

Order of the First Appellate Authority (FAA): Not enclosed.

Grounds for the Second Appeal:

Unfair disposal of the appeal.

Relevant Facts emerging during Hearing:

The following were present Appellant: Absent;

Respondent: Mr. Prem Kumar Yadav, Superintendent on behalf of Mr. Ashok Kumar Pandey, Public Information Officer & Asst. Commissioner of Customs;

The respondent has not provided proper and complete information in respect to the following:

- 1- Query-3:
- 2- Query-5 & 6: The PIO states this information would be available with the Cadre

Authority to whom the RTI application has been transferred. The PIO is directed send a copy of this order to the Cadre Controlling Authority. The PIO of Cadre

Controlling Authority is directed to give the information to the appellant before 30 August 2010.

Decision:

The Appeal is allowed.

The PIO is directed to provide the information on query-3 to the appellant before August 15, 2010 and send a copy of this order to the PIO Cadre Controlling Authority.

The PIO of Cadre Controlling Authority is directed to give the information to the appellant on query-5 & 6 before 30 August 2010.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties. Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi Information Commissioner 30 July 2010 (In any correspondence on this decision, mention the complete decision number.)(ND)