

Central Information Commission

Shri Sukhdev Raj Devgan vs Central Excise Department on 30 December, 2008

CENTRAL INFORMATION COMMISSION

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F.No.CIC/AT/A/2008/00998 Dated, the 30th December, 2008 Appellant : Shri Sukhdev Raj Devgan Respondents : Central Excise Department This second-appeal came up for hearing on 24.12.2008 in the presence of both parties.

2. It was submitted on behalf of the respondents that the information which the appellant has requested is held by the Commissionerate of Customs (Preventive) and partly by the office of the Chief Commissioner Customs and Central Excise, Chandigarh.

3. Respondents submitted that item no.6 of the RTI-query of the appellant is not held by either of the two, i.e. the Customs and the Central Excise, but by the Pay and Accounts Office.

4. After hearing the parties, it is directed that CPIO, Chief Commissionerate of Customs & Central Excise shall ensure that information regarding item nos.1 to 5 are collected and collated from wherever these are held in the offices of Customs and Central Excise and provide it to the appellant within three weeks of the receipt of this order. These queries as appearing in appellant's RTI-application dated 08.02.2008 were as follows:-

"1) Attested Photocopies of Documents deposited on 14/2/1992 at the time of joining the Department at [sic] Customs & Central Excise Commissionerate, Chandigarh.

2) Letter sent to the earlier employer in terms of the provision of para 3 of GID (5) after Rule 73 of CCS (Pension) Rules, 1972.

3) Letter / Authority issued by the PAO Customs Preventive Commissioner, Amritsar vide which the commutation amount, GPF, Gratuity etc have been released / paid to the applicant.

4) Pension Calculation Sheet as prescribed in GID no 3 after Rule 61 of CCS (Pension) Rules, 1972

5) Action Taken as Para B and C of GID 5, after Rule 68 of CCS (Pension) Rules, 1972 in respect of payment of pension to the applicant."

5. As regards queries at Sl.No.6, the respondents informed that it was transferred to the CPIO, Pay & Accounts Office by the CPIO, Chief Commissionerate Customs and Central Excise on 13.02.2008.

6. A notice may issue to the CPIO, Pay & Accounts Office, Office of Customs Preventive Commissioner, Amritsar to explain the reasons for not providing this information to the appellant till today. This reply should reach the Commission within three weeks of this order.

7. Appeal disposed of with the direction at para 4 above in regard to queries at 1 to 5 of the appellant's RTI-application.

8. As regards appellant's query at Sl.No.6 of his RTI-application, matter shall be further considered for a decision after the receipt of the reply of the CPIO, Pay & Accounts Office, Office of Customs Preventive Commissioner, Amritsar. Call for hearing on the next date.

9. Copy of this direction be sent to the parties.

(A.N. TIWARI) INFORMATION COMMISSIONER