



Government of India
Office of the Commissioner of Customs
15/1, Strand Road, Customs House, Kolkata-700001.

F.No.S(RTI-05)- 06/2017(AP&Admn.)

Date of Order: 18/04/2017

Date of Issue: 18/04/2017

Order No. - 04 /ADC/ KOL/CUS/RTI (Appeals)/2017(AP. & Admn.)

Passed By: Shri J. P. Meena
Appellate Authority &
Addl. Commissioner of Customs(A&A),
Custom House, Kolkata.

Order-in- Appeal

1. This Order – in - Appeal is issued under sub-section 1 of section 19 of the Right to Information Act, 2005.
2. An appeal against this order can be preferred to the Central Information Commissioner, 2nd Floor, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110066 under Sub-Section (3) of section 19 of the Right to Information Act, 2005.
3. An appeal against this order must be filed within 90 days from the date of receipt of this order.

(Contd to Page-2)

Brief Facts of the case

Subject : Appeal filed by Shri Mahadeb Naskar, Sr.Tax Assistant, Custom House, Kolkata, dated 07.04.2017 before the Appellate Authority – cum – Addl. Commissioner of Customs (RTI Cell) (Airport & Administration), Custom House, Kolkata – 700 001.

The issues in brief are that the applicant Shri Mahadeb Naskar, Sr.Tax Assistant, Custom House, Kolkata, had submitted an RTI application dated 08.03.2017 which is related to the Central Public Information Officer (P&E), Office of the Commissioner of Customs, Custom House, Kolkata with a request to provide the following information :-

- 1) Whether any steps has been taken by the Department to implement the Order passed by the Hon'ble CAT (Calcutta) dated 07/11/2016, under O.A. No. 01689/2014, regarding promotion of Inspector (E.O/P.O) of Mahadeb Naskar & Ors., if so, provide the copy of the same to the undersigned please.
- 2) Whether implementation / direction has been given by the board to this office in regard to the said CAT Judgment, if so, give details.
- 3) Please provide the details correspondence by this office with Board or any other Advocate if any in this regards and also please provide any clarification / direction / suggestion provided by any legal Expert / Practitioner etc. in this regard to this office and or it's the (CBEC) also supply the copy of the Above.

The CPIO & Assistant Commissioner of Customs, Personnel & Establishment, Custom House, Kolkata furnished the information/comments against the aforementioned RTI application dated 08.03.2017 of the appellant vide letter F.No.S51(Misc)-21/2017Estt. dated 03.04.17. The reply was given as below:-

Point No. 1 : Yes, it is under process.

Point No. 2. : Copy of the Ministry's letter F. No. A32022 / 11 / 2015 AdIIIA dated 30.12.2016 enclosed herewith.

Point No 3. : The Department sought Legal Opinion in this context and reply is awaited.

Being aggrieved with the information at Point No. 3 provided by the concerned CPIO , Personnel & Establishment, Custom House, Kolkata vide letter F.No.S51(Misc)-21/2017Estt. dated 03.04.17, the applicant filed an appeal dated 07.04.2017 before the Appellate Authority & Addl. Commissioner of Customs (Airport & Administration), Custom House, Kolkata.

(Contd to Page-3)

(3)

Observation & Findings

From the perusal of the records, RTI application of the applicant Shri Mahadeb Naskar, dated 08.03.2017 and reply of the CPIO dated 03.04.2017, it seems that CPIO has not provided the information in full and to the point as asked by the applicant. Accordingly the following order is passed.

Order

CPIO is directed to provide the information as asked by the applicant vide his RTI application dated 08.03.2017 within a period of one week.

Sd/-

(J. P. Meena)

Appellate Authority &
Addl. Commissioner of Customs (A&A),
Custom House, Kolkata

Copy to :-

- 1.. Shri Mahadeb Naskar, Sr.Tax Assistant, Accouts Department, Custom House, Kolkata,
2. The Central Information Commissioner, 2nd Floor, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110066.
3. The CPIO & Assistant Commissioner of Customs (P&E), Custom House, Kolkata.
- ✓ 4. Computer Cell, with a request to upload the same to official website.



(J. P. Meena)

Appellate Authority &
Addl. Commissioner of Customs (A&A),
Custom House, Kolkata