

(5)

F.No.381/01/RTI/2017-RA
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

14, HUDCO VISHALA BLDG., B WING
6th FLOOR, BHIKAJI CAMA PLACE,
NEW DELHI-110 066
Date:24.05.2017

To,

Shri Jayendra C. Thakkar
B-201, Ratnapuri Complex,
Opp. Baranpura Petrol Station,
Vadodara- 390004

Sir,

Subject: RTI on RA File No.371/01/B/14-RA.

Please refer to RTI Application dated 25.04.2017 received in this office on 02.05.2017.

The personal hearing on the RA filed by the applicant was heard on 04.01.2016 by the Joint Secretary (RA). Before taking the decision on the Revision Application, the Hon'ble High Court of Punjab and Haryana in its Order dated 22.03.2016 in CWP No.24967 of 2015 and CWP No.26321 of 2015 held that Revisionary Order passed by the Revisionary Authority of the same rank as that of Commissioner (Appeal) is not permissible as per law.

Against the said order of Hon'ble High Court, department had filed SLP No. SLP (Civil) CC 19063 of 2016 before the Hon'ble Supreme Court of India which was dismissed by the Apex Court.

Therefore, the Joint Secretary (Revenue) is not in a position to pass Revision Orders. The department is in the process of settling the legal and administrative issues that have so emerged with regard to the appropriate officer to decide Revision Applications on behalf of Government of India. Passing of orders has been kept in abeyance till the appointment of officer(s) higher in rank than Commissioner (Appeals) is posted to RA Unit.

Copy of reply dated 25.04.2017 to query letters is enclosed herewith.

Yours faithfully,

issued
Encl: As above

(SHAIKAT ALI)
UNDER SECRETARY (RA)

Copy to:

The Section Officer (RTI Cell),
Ministry of Finance,
Department of Revenue