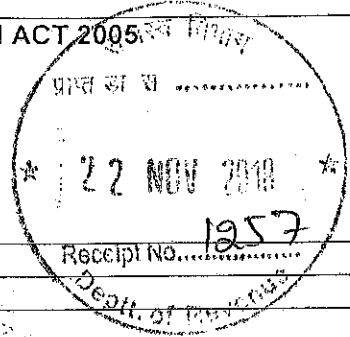


SP-2415
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APPLICATION UNDER RIGHT TO INFORMATION ACT 2005



TO
THE CPIO & UNDER SECRETARY
COORDINATION, DEPARTMENT OF REVENUE
NORTH BLOCK NEW DELHI PIN CODE -110001

1	Name of the Applicant	R. K. SHARMA
2	Father's Name	JAGDISH CHANDRA
3	Communication Address	R. K. SHARMA K 80, HAUZ KHAS ENCLAVE NEW DELHI-110016
4	Information Requested	

Dear sir,
Please provide the following information and documents on my letters and emails dealt in file no. C. No. 18011/02/2013-Ad. II or any other file/s :

- Names of the Joint Secretary Administration in CBEC and CBDT.
- Names of officers looking after transfer and postings in the two Boards.
- Reasons as to how a departmental officer having no exposure in administration work and might hold bias against CBEC officers or, being from the same service, may not function independently of Chairman and Member Administration- is looking after the work of transfer and postings in CBIC.
- Number of days taken to put up my letter dated 10-07-2017 addressed to Chairperson CBEC and reasons for day to day or date wise delay in putting up this letter.
- Number of days the file remained pending with each level of officer and reasons thereof till today, with names of officers.
- Number of days taken to answer Chairpersons' two queries made in the file- reasons for this long time taken to answer her query. Please explain date wise delay on each occasion, with names of officers.
- Number of days taken to put up my email dated 11-04-2018 addressed to Chairperson CBEC and reasons for day to day or date wise delay in putting up this letter.
- Number of days the file remained pending with each level of officer and reasons thereof till today, with names of officers.
- Number of days taken to put up my email dated 25-05-2018 addressed to Chairman CBEC and Commissioner and reasons for day to day or date wise delay in putting up these letters.
- Number of days the file remained pending with each level of officer and reasons thereof till today, with names of officers.
- Officer/s responsible for not answering to my email dated 11-04-2018 and 25-05-2018 where new facts were brought to the notice of the Board and all subsequent email reminders, with names of officers.
- Number of email reminders sends by me to each level of officer- Commissioner, Member Administration and Chairman.
- Date of retirement of former Chairperson and Chairman CBEC.
- Date of joining of present CPIO in Ad. II, CBIC.

US (Ad. I)
US (Ad. II)
US (CX-9)
A
26/11/18

Note- Information is sought to be provided by registered post only.
If whole information may not be provided, then it is requested to please provide me at least partial information as per the severability clause of section 10 of the RTI Act 2005.

I request you to follow Section 7(3) of the RTI Act 2005 for providing information/providing with photocopies of supporting documents related to the information requested above.

Below items (4.1 to 4.14) are for your kind information and consideration:

- As per section 6(3) of the RTI Act 2005, In case, the requested information is held by another public authority, I request the PIO to transfer the application or part of it within FIVE days and immediately inform me about such transfer.
- As per section 7(3) of the RTI Act 2005, In case, there are further fee required to provide the requested information, I request the PIO to inform me of the additional fee amount along with the calculations made to arrive at the amount.

MINISTRY OF FINANCE / वित्त विभाग
DEPARTMENT OF REVENUE / वित्त विभाग
CELL / कोषागार
FTS No. 987144 / 2018
Date of Receipt 26 / 11 / 2018

- 4.3 As per section 5(3) of the RTI Act 2005, I request the PIO to provide assistance in getting the requested information.
- 4.4 As per section 7(9) of the RTI Act 2005, I request the PIO to provide the requested information in the form in which it is sought.
- 4.5 As per section 7(1) of the RTI Act 2005, I request the PIO to provide the requested information within 30 days.
- 4.6 As per section 7(8)(iii) and 7(3)(ii) of the RTI Act 2005, I request the PIO to inform me of the particulars of First Appellate Authority.
- 4.7 As per section 10(2) of the RTI Act 2005, In case the requested information is exempt from disclosure by any other law, I request you to provide that part of the record which does not contain any information which is exempt from disclosure under RTI Act 2005. FYI: "The RTI Act has over-riding effect vis-à-vis other laws inasmuch as the provisions of the RTI Act would have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than the RTI Act "
- 4.8 As per section 7(8) of the RTI Act 2005, In case of rejection of my application, I kindly request you to provide the reason for such rejection and not just quote a section of RTI. Also, I request you to provide the details of Appellate authority.
- 4.9 As per section 8 (1) (j) of the RTI Act 2005, "... the information which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person."
- 4.10 As per section 8(2) of the RTI Act 2005, "Notwithstanding anything in the Official Secrets Act, 1923 nor any of the exemptions permissible in accordance with sub-section (1), a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests."
- 4.11 As per section 7(2) of the RTI Act 2005, In case of no decision received within 30 days, the PIO shall be deemed to have refused the request.
- 4.12 As per section 6(2) of the RTI Act 2005, "An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him."
- 4.13 As per section 7(6) of the RTI Act 2005, "Notwithstanding anything contained in sub-section (5), the person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in sub-section (1)."
- 4.14 As per section 19(5) of the RTI Act 2005, "In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request"

Now, at the end, I may reasonably expect that, honorable PIO will honor the RTI Act and its clauses stated above while making decision on this RTI application so that, at least the wastage of time of higher authorities in further proceedings and Legal hassle could be avoided in appeal while discussing the same matter.

5	Declaration: I state that information sought does not fall within the restrictions contained in the Section 8 & 9 of the Act and to best of my knowledge it pertains to your office and I am a citizen of India.
6	<p style="text-align: right;"><i>R. K. Sharma</i></p> <p>Date: 20-11-2018</p>
7	Enclosure: IPO No. 42F 530335 (R. K. SHARMA)