Appeal : No. CIC/LS/A/2010/001099-DS

Appellant /Complainant : Sh. Kaushal Kishore Garg, Gwalior

Public Authority : Income Tax Department, Gwalior

(Shri Raj Pal Singh, FAA – through video Conferencing)

Date of Hearing : 5/1/2011
Date of Decision : 5/1/2011

Facts:

1. By preferring RTI request dated 8 February 2010 the applicant sought information from the CPIO, Department of Income Tax, Gwalior vide which he sought information regarding the manner in which his RTI application had been disposed of and also sought information regarding name of Inspector who was enquiring into complaint made by the appellant along with outcome of the action taken on his complaint – enclosed herewith as Annexure-A.

2. The CPIO vide his order dated 4 March 2010 informed that the investigation was in progress and that information would be provided on the completion of the exercise. The applicant preferred appeal dated 22 March 2009 before the First Appellate Authority who disposed of the matter vide FAA order dated 1 April 2010 by which the CPIO was directed to inform the applicant regarding transfer of his RTI application to the holders of information,. Information sought under other points was denied and the CPIO’s order was upheld,.

3. The applicant preferred second appeal before the Commission. The matter was heard today through videoconferencing. Both parties were present as above and presented arguments.
Decision

4. After hearing both parties Commission directs respondent to provide the movement of the RTI application as transferred to the CPIOs who are the holders of the requested information.

5. The name of Inspector conducting the investigation is not required to be disclosed under the provisions of section 8(1)(h) of the Act.

6. Respondent stated that the preliminary investigation had been completed and currently assessment was pending and notice had been issued to the party. Respondent is directed to provide a copy of the preliminary investigation report to the appellant.

7. Above information to be provided within two weeks of receipt of the order.

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(Smt. Deepak Sandhu)
Information Commissioner (DS)

Authenticated true copy:

(T. K. Mohapatra)
Under Secretary & Dy. Registrar
Tel No. 011-26105027

Copy to:-

1. Shri Kauishal Kishore Garg
   461, Hargovindapuram, City Centre
   Gwalior-474011

2. The Central Public Information Officer
   Office of the Income Tax, Ward-1(2),
   Aaykar Bhawan, City Centre,
   Gwalior474011

3. The Appellate Authority
   O/o the Jt. Commissioner of Income Tax
   Range-1, Ayakar Bhawan,
   City Centre, Gwalior-474011