

ACTION HISTORY OF RTI FIRST APPEAL No.CEXCH/A/E/20/00006

Applicant Name

Krithika Jaganathan

Text of Appeal

The RTI Request CEXCH/R/E/20/00014 dated 04.03.2020 had sought information on whether any Appeal had been filed by the Revenue against CESTAT Order dated 03.03.2010 in Cognizant Tech.Solutions (I) Pvt. Ltd. vs. Commr. LTU reported at 2010 (18) S.T.R. 326 (Tri.-Chennai). The RTI Request was disposed of by stating that DETAILS OF ACCEPTANCE OF ORDER ARE NOT READILY AVAILABLE. . The information provided is incomplete inasmuch as no answer is given on whether any Revenue Appeal was filed against the above CESTAT Order. Please inform me if any Revenue Appeal was filed against CESTAT Order in Cognizant Tech. Solutions (I) Pvt. Ltd. vs. Commr. LTU reported at 2010 (18) S.T.R. 326 (Tri.-Chennai) and provide details/status of said Appeal, if any.

Hard Copy of the order sent by post I have gone through the appeal and all the relevant records. The point to be decided by me is whether the information provided by the CPIO is correct and complete or not. 06. The appellant filed the impugned application under the RTI Act, 2005, to which the CPIO vide C.No.IV/16/79/2019-RTI dated 01.06.2020 informed that the information is not readily available with this office, on the ground that, the Commissionerate had been formed in July 2017 and the order about which information was sought for was rendered on 03.03.2010 . The CPIO's order has been challenged by the appellant in this appeal. 07. It is seen that the public authority reported that Commissionerate had been formed only in July 2017. The details of the acceptance of the order passed in 2010 are not readily available in this office. Since the information sought for by the appellant pertained to the erstwhile LTU Commissionerate and during the restructuring of Commissionerate in July 2017, the records were transferred to different formations and were not readily available. Therefore, it is the responsibility of CPIO to ascertain whether any appeal has been filed or whether the Order has been accepted. In this case, and to furnish the same to the appellant. 8.1 The term "information" is defined in section 2(f) of the Act as follows:- 2(f) "Information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force. 8.2 Section 2(j) of the Act which defines the term "right to information" reads as follows:- "2 (j) "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to (i) inspection of work, documents, records; (ii) taking notes, extracts or certified copies of documents or records; (iii) taking certified samples of material; obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device." ORDER 9. For the aforesaid reasons, I pass the following order that the information sought by the appellant may be furnished to her by the CPIO. 10. In case the appellant wishes to file a second appeal against this order, he may do so under Section 19(3) of the Right to Information Act, 2005, within 90 days from the date of receipt of this Order, before the Appellate Authority, whose details are given below – Central Information Commission, 2nd Floor, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110 066.

Reply of Appeal

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	FIRST APPEAL RECEIVED	03/06/2020		

2	APPEAL FORWARDED TO CONCERNED FIRST APPELLATE AUTHORITY	05/06/2020	Nodal Officer	Online
3	APPEAL DISPOSED OF	08/07/2020	FAA - RAJEEV KUMAR, ADC, NORTH	

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