

# CENTRAL INFORMATION COMMISSION

Room No. 308, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066

File No.CIC/LS/C/2009/000692

Complainant : Shri Rakesh Kumar

Public Authority : Income Tax Department, Ghaziabad  
(through Shri Shyam Singh, Addl CIT,  
Range-I, Ghaziabad)

Date of Hearing : 12.2.2010

Date of Interim Decision : 12.2.2010

## FACTS :

It is the say of the appellant that the public schools are charging huge fee from the students but the same is not being reflected in their records. He has enclosed one such receipt along with his RTI application. In this connection he had sought some information from CPIO regarding the alleged 'loot' being committed by the schools.

2. The CPIO vide letter dated 11.8.2009 had informed that appellant that due to lack of evidence, no action was possible by the Income Tax authorities.

3. Aggrieved with this, he has filed the present appeal.

4. Heard on 12.2.2010. Appellant not present. The public authority is represented by the officer named above. A representation dated 11.2.2010 from CIT Gahziabad has also been received which is taken on record. It is the say of Shri Shyam Singh that incorrect reflection of the fee collected from the students in the records of the schools may be true but he needs evidence to proceed against such schools. However, no such evidence has come before him and, therefore, no action is possible. He further submits that the allegation made in the TEP are investigated discreetly and outcome thereof is confidential in nature and can not be disclosed to a third party. However, in the matter in hand, no evidence has been proffered before the Department in support of the allegations.

5. Needless to say, the IT authorities have to proceed as per evidence put up before them. It is for the appellant to give concrete proof to the authorities in support of the allegations. It appears that he has not proffered any such proof so far. In this view of the matter, the Commission need not pass any orders. The matter is closed.

Sd/-  
(M.L. Sharma)  
Central Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges, prescribed under the Act, to the CPIO of this Commission.

(K.L. Das)  
Assistant Registrar

Address of parties :-

1. Shri Shaym Singh  
Addl CIT, Range-I,  
Income Tax Department,  
C.G.O. Complex-I, Hapur Chungi,  
Ghaziabad.
  
2. Shri Rakesh Kumar  
III-H-96,  
Nehru Nagar, Ghaziabad.