

Central Information Commission

**Appeal No. 16/IC(A)/2006
F.No. 11/101/2006-CIC**

Dated, the 28th March, 2006

Name of the Appellant : Pratap J. Shah, 3, Narang House, 41, Ambalal Doshi Marg, Fort, Mumbai-400 023.

Name of the Public Authority : Directorate of Enforcement, Mittal Chambers, 2nd Floor, Nariman Point, Mumbai-400 021.

DECISION

The appellant has sought information relating to the show cause notices (fine) issued by the Directorate to a particular Company, and the orders issued against each notice, the details of levy of penalty and name of the Special Director, Directorate of Enforcement who has adjudicated the above referred cases.

In its submission to the Commission, the CPIO has contended that under Section 24 of the RTI Act, certain organizations including Directorate of Enforcement as specified in the Second Schedule of the Act, do not fall within the ambit of the Act, excepting in the case of allegation of corruption and human rights violations. The CPIO has also mentioned that since the appellant has not made the case against corruption or human rights violation, his appeal for information cannot be entertained under the Act.

The appellant was involved in a litigation against the Company about which he sought the above information. He had also taken the matter with the High Court, Mumbai which observed that the issue raised by the appellant was not a bonafide public interest.

The Directorate of Enforcement is covered under Section 24 and is included in the Second Schedule of the Act. The appeal is therefore not maintainable.

Sd/-
(M.M. Ansari)
Information Commissioner

Authenticated true copy:

(P.K. Gera)
Registrar

Cc:

1. Shri Pratap J. Shah, 3, Narang House, 41, Ambalal Doshi Marg, Fort, Mumbai-400 023.
2. Shri S.P. Srivastava, Assistant Director, Directorate of Enforcement, Deptt. Of Revenue, Mittal Chambers, 2nd Floor, Nariman Point, Mumbai-400 021.