

28883()/2019/O/o ADC-GST ZONE-CHD

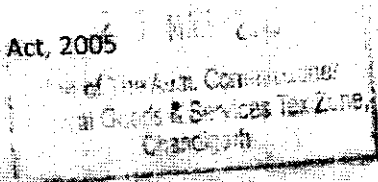
BY REGISTERED POST

FORM -A

Application for information under section 6(1) of Right of Information Act, 2005

To

The Public Information Officer
Central G.S.T. Zone,
Chandigarh.



1. Full name of the applicant: [REDACTED]

2. Father name [REDACTED]

3. Permanent address [REDACTED]

Sir,

Kindly provide the following information along with duly authenticated documents i.e. copies of letters as well as copies of note sheet of the relevant file in support of each and every reply for which the information is requested to be provided to the undersigned under Right of Information Act, 2005, Section 6.

Particulars of information solicited

- (a) Total number of inspectors who joined the Chandigarh Zone (erstwhile known as C. Ex. Collectorate, Chandigarh) during the period 01.01.1982 to 31.08.1984.
- (b) Total number of superintendents who were granted Non-functional grade of Rs.8000-13500 with grade pay of Rs.5400 in PB-2 in terms of Notification dated 29.08.2008, issued by Ministry of Finance (Department of Expenditure) notifying the Central Civil Services (Revised pay) Rules, 2008 on completion of their four years of regular service who joined the Department as inspectors from 01.01.1982 to 31.08.1984? Their names, date of joining the Department, date of promotion as superintendent and date of grant of non-functional grade may please be provided. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided please.

- 1 -

[REDACTED]

- (c) Total number of superintendents whom Non-functional grade of Rs.8000-13500 with grade pay of Rs.5400 in PB-2 was granted were also granted second financial up-gradation with grade pay 5400 in PB3 on completion of 24 years of service in terms of Assured Career Scheme (ACP)?

Their names, date of joining the Department, date of promotion as superintendent and date of grant of non-functional grade may please be provided. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided please.

- (d) Total number of superintendents who were granted Non-functional grade of Rs.8000-13500 with grade pay of Rs.5400 in PB-2 and second financial up-gradation with grade pay 5400 in PB3 on completion of 24 years of service in terms of Assured Career Scheme were also granted third financial up-gradation with grade pay of Rs.6600 on completion of thirty years of regular service in terms of Modified Assured Career Progression Scheme (MACP)?

Their names, date of joining the Department, date of promotion as superintendent and date of grant of non-functional grade may please be provided. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided please.

- (e) Whether grade pay of Rs.6600 has been withdrawn from all such superintendents/assistant commissioners whom non-functional grade of Rs.5400 in PB2 was granted (mentioned in para (d) above) on the ground that they have already been granted non-functional grade and the same has been considered as functional grade and the same would be offset against one financial up-gradation in pursuance to CBEC letters dated 20.06.2016 and 02.09.2016?

Kindly provide the list of such superintendents/assistant commissioners from whom grade pay of Rs.6600 has been withdrawn due to the above said reason. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided please.

- (f) Has recovery been made from all such officers? If not, reasons thereof.
- (g) Names and designation of the officers and staff responsible for taking necessary action regarding recovery may be communicated please. Action taken against such officers and staff responsible for such recovery who failed to do so may be intimated please with documentary evidence.
- (h) List of such superintendents/assistant commissioners from whom grade pay of Rs.6600 has not been withdrawn due to the above said reason till date. Reasons for not withdrawing the grade pay of Rs.6600 may be intimated please.

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- (i) Kindly intimate the reasons for not maintaining uniformity in respect of all the similarly placed officers.
- (j) Kindly intimate the action taken against the officers who failed to take necessary action for withdrawal of the grade pay of Rs.6600 from the officers mentioned in para (f) &(g) above.
- (k) Kindly provide details of correspondence (along with copies of the note sheet of the relevant files) regarding action taken against the defaulting staff and officers who failed to take timely action for making necessary recovery.
- (l) The information may be provided by registered post/E-mail at my above said address.

I enclose herewith postal order No. 39F 023254 and 39F 023255 for Rs.10/- each (total Rs.20/-) payable to you as the requisite fee.

Place: Ludhiana.

Date: 19.03.2019


19.3.2019


[REDACTED]

I/33280/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय, लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in
 16/08/2019

सेवा में

Sh. [REDACTED]
 [REDACTED]
 [REDACTED]

महोदय,

विषय :- Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED] g.

Please refer to your RTI application dated 19.03.2019 filed with the Central Public Information Officer, GST & Central Excise Commissionerate, Chandigarh for supply the certain information.

2. Aggrieved with the reply dated 25.04.2019 of the CPIO, GST & Central Excise Commissionerate, Chandigarh you had filed an appeal dated 28.05.2019 before the First Appellate Authority (RTI), GST & Central Excise Commissionerate, Chandigarh. The Appeal decided by the First Appellate Authority (RTI) vide Order-in-Appeal No. 4/RTI/APPL/CHD/2019-20 dated 21.06.2019 .

3. In compliance to the Order-in-Appeal dated 21.06.2019, the CPIO, GST & Central Excise Commissionerate, Chandigarh vide letter File No.TECH-RTI0APL/19/2019-HQ-GST-CHD dated 04.07.2019 (received in this office on 08.07.2019) transferred your RTI application dated 19.03.2019 under Section 6(3) of the RTI Act, 2005 also enclosing a copy of Order-In-Appeal No. 04/RTI/APPL/CHD/2019-20 dated 21.06.2019 passed by the First Appellate Authority (RTI), GST & Central Excise Commissionerate, Chandigarh. Vide above mentioned letter dated 04.07.2019, the CPIO has requested to supply the information sought by the applicant in point b to k (except f) directly under intimation to their office. Further, the CPIO, GST & Central Excise Commissionerate, Chandigarh vide letter File No.TECH-RTI0APL/19/2019-HQ-GST-CHD

[REDACTED]

[REDACTED]

[REDACTED]

I/33280/2019

dated 19.07.2019 again requested that that information in respect of **point no. f** also be provided to the applicant.

4. I have examined your application dated 19.03.2019 whereunder following information has been sought by you under the RTI Act, 2005:

- a. Total number of inspectors who joined the Chandigarh Zone (erstwhile known as C. Ex. Collectorate, Chandigarh) during the period 01.01.1982 to 31.08.1984.
- b. Total number of superintendents who were granted Non-functional grade of Rs.8000-13500 with grade pay of Rs.5400 in PB-2 in terms of Notification dated 29.08.2008, issued by Ministry of Finance (Department of Expenditure) notifying the Central Civil Services (Revised pay) Rules, 2008 on completion of their four years of regular service who joined the Department as inspectors from 01.01.1982 to 31.08.1984.

Their names, date of joining the Department, date of promotion as superintendent and date of grant of non-functional grade may please be provided. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided please.

- c. Total number of superintendents whom Non-functional grade of Rs.8000-13500 with grade pay of Rs.5400 in PB-2 was granted were also granted second financial up-gradation with grade pay 5400 in PB3 on completion of 24 years of service in terms of Assured Career Scheme (ACP)?

Their names, date of joining the Department, date of promotion as superintendent and date of grant of non-functional grade may please be provided. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided please.

- d. Total number of superintendents who were granted Non-functional grade of Rs.8000-13500 with grade pay of Rs.5400 in PB-2 and second financial up-gradation with grade pay 5400 in PB3 on completion of 24 years of service in terms of Assured Career Scheme were also granted third financial up-gradation with grade pay of Rs.6600 on completion of thirty years of regular service in terms of Modified Assured Career Progression Scheme (MACP)?

Their names, date of joining the Department, date of promotion as superintendent and date of grant of non-functional grade be provided. Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file may be provided.

- e. Whether grade pay of Rs.6600 has been withdrawn from all such superintendents/assistant commissioners whom non-functional grade of Rs.5400 in PB2 was granted (mentioned in para (d) above) on the ground that they have already been granted non-functional grade and the same has been considered as functional grade and the same would be offset against one financial up-gradation in pursuance to CBEC letters dated 20.06.2016 and 02.09.2016?.

Kindly provide the list of such superintendents/assistant commissioners from

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whom grade pay of Rs.6600 has been withdrawn due to the above said reason.
Copy/copies of the Orders issued in this regard as well as note sheet pages of the relevant file.

- f. Has recovery been made from all such officers? If not, reasons thereof.
- g. Names and designation of the officers and staff responsible for taking necessary action regarding recovery may be supplied. Action taken against such officers and staff responsible for such recovery who failed to do so may be provided with documentary evidence.
- h. List of such superintendents/assistant commissioners from whom grade pay of Rs.6600 has not been withdrawn due to the above said reason till date. Reasons for not withdrawing the grade pay of Rs.6600 may be intimated.
- i. Intimate the reasons for not maintaining uniformity in respect of all the similarly placed officers.
- j. Intimate the action taken against the officers who failed to take necessary action for withdrawal of the grade pay of Rs.6600 from the officers mentioned in para (f) &(g) above.
- k. Provide details of correspondence (along with copies of the note sheet of the relevant files) regarding action taken against the defaulting staff and officers who failed to take timely action for making necessary recovery.

5. The information sought in para no 'a' of the RTI Application pertains to Carder Controlling Authority i.e. CGST Commissionerate Chandigarh.

The information (b) - (k) sought is personal in nature and hence, is exempted under Section 8(1)(j) of the RTI Act, 2005, wherein no larger public interest seems to be involved.

6. Recently Hon'ble CIC in its decision No. CIC/CCITC/A/2018/113209-BJ dated 15.07.2019 has upheld the decision of CPIO , CGST Commissionerate , Ludhiana in the case of Sh. Michael Jeet Singh Ghuman Vs CPIO GST Commissionerate, Ludhiana ,wherein similar information was sought under RTI Act, 2005 & not provided.

7. The Hon'ble Supreme Court in the matter of Girish Deshpande Vs CIC & Others SLP(C) No. 27734/2012 in paragraph No. 13 has held that:

13. The performance of an employee/officer in an organization is primarily a matter between the employee, and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public

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Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right.

8. The Hon'ble Supreme Court in another case of Canara Bank versus C.S. Shyam & Anr. & Others in Civil Appeal No.22 of 2009 dated 31.08.2017 in paragraph No.14 has held that:

14. In our considered opinion, the aforementioned principle of law applies to the facts of this case on all force. It is for the reasons that, firstly, the information sought by respondent No.1 of individual employees working in the Bank was personal in nature; secondly, it was exempted from being disclosed under Section 8(j) of the Act and lastly, neither respondent No.1 disclosed any public interest much less larger public interest involved in seeking such information of the individual employee and nor any finding was recorded by the Central information commission and the High Court as to the involvement of any larger public interest in supplying such information to respondent No.1.

9. Though the CPIO , CGST Commissionerate , Chandigarh has provided some information in regard to the extant RTI application pertaining to his jurisdiction vide letter bearing C.No IV(16)HQ/Tech/CHD/RTI/jasvinder/35/19/9352 dated 25/4/2019 & his Appellate Authority i.e. Appellate Authority- CGST Commissionerate Chandigarh vide order bearing OIA No 04/RTI/APPL/CHD/2019-20 dated 21.06.2019 has interalia directed supply of additional information if available besides directing transfer under Section 6(3) of the RTI ACT, 2005 to other CPIO's.

However the aforesaid orders of the CPIO & FAA , CGST Commissionerate , Chandigarh have only persuasive value. The undersigned in his capacity as CPIO is bound by the directions & decisions of his jurisdictional *Appellate Authority - FAA CGST Commissionerate , Ludhiana* , Hon'ble CIC & the Hon'ble Supreme Court . As mentioned supra in para's 6-8 similar information has been denied under Section 7(9) of the RTI ACT , 2005 by the CPIO and the decision of the CPIO was upheld by the Appellate Authority also holding the the information was exempt from disclosure under Section 8(1) (j) of the RTI Act, 2005 . The same has been upheld by the Hon'ble CIC in its decision No. CIC/CCITC/A/2018/113209-BJ dated 15.07.2019.

Further the Hon'ble Supreme Court has also held in Canara Bank versus C.S. Shyam & Anr. & Others in Civil Appeal No.22 of 2009 dated 31.08.2017 & Girish Deshpande Vs CIC &

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Others SLP(C) No. 27734/2012 has interalia held that such kind of information is exempt from disclosure.

10. In view of the above, the information sought by you under RTI application dated 19.03.2019 cannot be provided. In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this letter. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय

AMANJIT SINGH
केन्द्रीय जन सूचना अधिकार

72191/2019/ADMN-GST-LDH

APPLICATION

U/S 6(1) OF RIGHT TO INFORMATION ACT, 2005,
FOR SEEKING INFORMATION

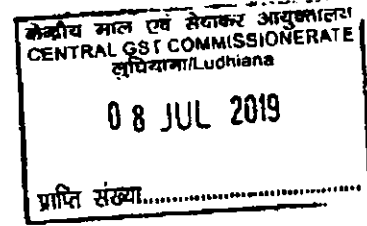
To,

The Deputy Commissioner,

Central Goods and Services Tax Commissionerate,

GST Bhawan, F-Block,

Rishi Nagar, Ludhiana-141001



1. Name of the applicant [REDACTED]
2. Present address [REDACTED]
[REDACTED]
[REDACTED]

3. Telephone number [REDACTED]
4. E-mail [REDACTED]

5. (i) Specify the particulars of the information sought (a separate sheet may be attached, if necessary)

1. **The Applicant is the Authorised Representative of M/s. [REDACTED]. The Company has an ongoing litigation in respect of services provided to CC IPL for the period 01.10.2005 to 30.09.2010. While proposing the demand of service tax against the Company in the show cause notice issued vide C.No. [REDACTED] the Department had relied upon certain documents, enlisted at Annexure-A of the said notice. The said documents may kindly be supplied as per the provisions under the Right to Information Act, 2005.**

(ii) Whether the information sought for is required to be supplied: YES

(a) In printed form and duly signed by the concerned authorities: YES

(iii) Whether inspection of records also sought: No, only information specified in 5(i) is sought.

(iv) Whether application fee of Rs. 10/- (Rupees Ten only) paid and, if so, please specify mode of payment. IPO of Rs. 100*3 are enclosed to cover costs of providing information and application fee of Rs. 10/-.

(a) Please give details of the IPO enclosed: IPO Nos. 525604, 525605, 525606

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

72191/2019/ADMN-GST-LDH

6. Mode of delivery expected (ordinary post, speed post, by courier, by hand, through internet or e-mail, by fax etc.). Additional fee maybe charged to cover the cost of delivery :
Email and Speed Post

DECLARATION OF THE APPLICANT

7. (i) I am a bona fide citizen of India and owe allegiance to the sovereignty, unity and integrity of India and have not voluntarily acquired the citizenship of another country.

(ii) The information given by me in this form is true and I am solely responsible for its accuracy.

Place: CHANDIGARH

Date: 04.07.2019

Dhananjay
(Signature the applicant)

Name: [REDACTED]

Designation: [REDACTED]

Firm name: [REDACTED]

Enclosure:

1. IPO amounting to Rs. 300 inclusive of application fee of Rs. 10/-
2. Vakalatnama
3. Show cause notice dated 29.03.2011

████████████████████
████████████████████
██

I/28316/2019

कार्यालय प्रधान आयुक्त

OFFICE OF THE PRINCIPAL COMMISSIONER

माल और सेवाकर आयुक्तालय लुधियाना

GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA

जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001

GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

19/07/2019

सेवा में

The Asstt Commissioner cum CPIO,
GST Commissionerate,
Jalandhar.

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]
[REDACTED] eg.

Please refer your office File No.ADJ1 -RPTS0RTI/I/201 8-HQ-GST-JAL/I/27143/2019 dated 15.07.2019 on the subject cited above.

In this regard, it is undisputed that the Show Cause notice has been issued by this office, but consequent to bifurcation the party falls under the jurisdiction of GST Commissionerate Jalandhar. It has also been gathered that the relevant adjudication file is lying with your office and the desired information/documents may be available in the adjudication file.

Being in custody of the file , your office is the principal supplier of the information under the RTI Act.

Accordingly, subject RTI application is being again transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant as per the provisions of RTI Act, 2005 .

Encl: as received

AMANJIT SINGH

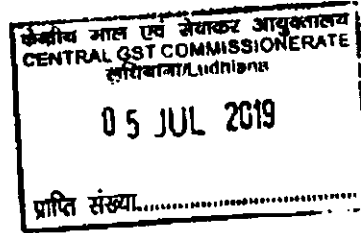
केन्द्रीय जन सूचना
अधिकारी

Copy to: Ms Krati Somani, SCO 59, 1st Floor, Sector 26, Madhya Marg, Chandigarh-160019

AMANJIT SINGH
केन्द्रीय जन सूचना अधिकारी

1

2



दिनांक
05/07/2019

प्रति,
केन्द्रीय जन सूचना अधिकारी
केन्द्रीय माल और सेवाकर आयुक्तालय,
लुधियाना,

विषय: सूचना का अधिकार अधिनियम 2005
के अन्तर्गत जानकारी

कृपया निम्न जानकारी मुझे सूचना का अधिकार अधिनियम के
अन्तर्गत दें।

① मेरे हाथ आयुक्त को लिखे पत्र दिनांक 13/06/2019
को अनुलग्नक के रूप में प्राप्त करें। मुझे उक्त फाइल का
Inspection करने दिया जाये जिसमें यह पत्र process
किया गया था process क्या जा रहा है।

② [Redacted] (आयुक्त, जालंधर) जिले राइड V
मकान में रह रहे हैं वहाँ कौन सा मीटर लगा है ?
मुख्य मीटर या उप (Sub) मीटर। यदि सब सब मीटर
लगा तो वह किस मुख्य मीटर से जुड़ा है? क्या वह
केन्द्रीय माल और सेवाकर आयुक्तालय, लुधियाना के प्रत्यक्ष में लगे मुख्य मीटर से जुड़ा है?

③ यदि सब मीटर लगा तो श्री [Redacted] द्वारा
विजली के बिजली के कर का भुगतान कैसे किया गया ?
यदि बिजली के कर का भुगतान नहीं किया गया तो
उसे भी सूचित करें।

④ क्या सुनील सिंह कटिमाद द्वारा बिजली के विजली कर के
भुगतान को सूचना उद्देश्य के आयुक्तालय लुधियाना से की ?
सुनील सिंह कटिमाद ने कब-कब बिजली भुगतान

[REDACTED]

[REDACTED]

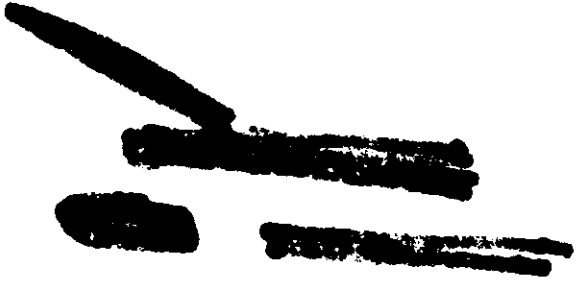
71286/2019/ADMN-GST-LDH

बिजली कर के रूप में किमा ~~की~~?
आकषक कीत के रूप में 10र का पोस्टल ऑर्डर 44F 72655 Y.
छापर करें।

भवदीय
05/07/2019

~~_____~~ (~~_____~~)

इ-ग्राम माल और सेवाकर
जी. एम. टी. भवन,
F ब्लॉक, अटविगार
लुधियाना



I/31109/2019

कार्यालय प्रधान आयुक्त

OFFICE OF THE PRINCIPAL COMMISSIONER

माल और सेवाकर आयुक्तालय लुधियाना

GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA

जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001

GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

02/08/2019

, सेवा में

[REDACTED]

[REDACTED]

केन्द्रीय माल एवं सेवाकर आयुक्तालय(अपीलस),

लुधियाना.

,महोदय

विषय:- श्री सोमेश तिवारी द्वारा प्रस्तुत आवेदन के संबंध में आरटीआई अधिनियम, 2005 के तहत सूचना की आपूर्ति ।

कृपया सूचना के अधिकार अधिनियम 2005 के अंतर्गत आपके द्वारा भेजे गए पत्र दिनांक 05.07.2019 का अवलोकन करें ।

इस कार्यालय के अंतर्गत मौजूद जानकारी के अनुसार पैरा 1-4 के सम्बन्ध में ये प्रस्तुत किया जाता है की मांगी गयी सूचना को सूचना के अधिकार अधिनियम 2005 के अनुभाग 8(1)(h) के अंतर्गत देने से इंकार किया जाता है क्योंकि आबंटियों को बिजली के मीटर तथा बिल जारी करने/वसूली बिल जारी करने के बारे में केन्द्रीय माल एवं सेवा कर आयुक्तालय की सतर्कता शाखा द्वारा जांच की जा रही है एवं जब तक जांच पूरी नहीं हो जाती, तब तक सम्बंधित जानकारी साँझा नहीं की जा सकती और न ही वांछित फाइल की निरीक्षण करने की अनुमति दी जा सकती है, क्योंकि इससे जांच की प्रक्रिया बाधित हो सकती है।

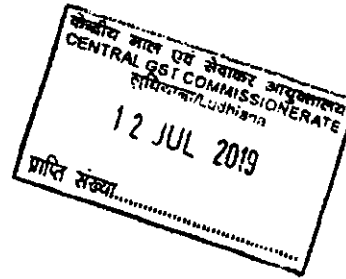
यदि आप इस उत्तर से संतुष्ट नहीं हैं, तो आप इस आदेश की प्राप्ति के 30 दिनों के भीतर प्रथम अपीलीय प्राधिकारी के आगे अपील कर सकते हैं। प्रथम अपीलीय प्राधिकारी का नाम और पूरा पता निम्नानुसार है

श्री राजन लाचाला, आईआरएस, संयुक्त आयुक्त (प्रथम अपीलीय प्राधिकर)
,जीएसटी आयुक्तालय, लुधियाना, जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर
लुधियाना-141001, टेली- 0161-2300777, फैक्स-0161-2304881

भवदीय,

[REDACTED]
[REDACTED]

75261/2019/ADMN-GST-LDH



08.07.2019

The Public information Officer

Excise Department

Ludhiana.

Subject: Request for Information under Right to Information Act 2005.

Dear Sir,

You are requested to please provide the copy of complete and comprehensive Information on the following points:-

1.) Name of the License required from the Excise Department for Opening Bar and Restaurant within the Municipal Limits of Ludhiana.

2.) Terms and Conditions required to be fulfilled for Taking the license (as referred in Point 1.) from the Excise Department ,for Opening Bar and Restaurant within the Municipal Limits of Ludhiana.

3.) List of Licenses issued by the Excise Department to the following Bar and Restaurants:

- a). [REDACTED]
- b). [REDACTED]
- c). [REDACTED]

4.) Copy of Licenses issued by the Excise Department to the following Bar and Restaurants

- a). [REDACTED]
- b). [REDACTED]
- c). [REDACTED]

Enclosed herewith are the 4 postal orders Favoring *Excise Department* Ludhiana, dated 08.07.2019 of Rs.10/- each for the requisite fee of Rs.10/- under the RTI Act, and Rs.3/- being the cost of the photocopies to be sent to the undersigned.

Hoping for an early Compliance.

[Signature]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1/27076/2019

कार्यालय प्रधान आयुक्त
 OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय लुधियाना
 GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ ब्लॉक, ऋषि नगर, लुधियाना- 141001
 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

15/07/2019

सेवा में

The Assistant Commissioner cum Public Information Officer,
 State Excise Department,
 Department of Excise & Taxation, Punjab
 Mini Secretariat,
 Ferozepur Road,
 Ludhiana.

विषय :- Supply of information under RTI Act, 2005 in respect of application submitted by Sh. Manu Mittu-reg

Please find enclosed herewith copy of RTI application dated 08.07.2019, submitted by Sh. Manu Mittu, 16-B, Rishi Nagar, Ludhiana received in this office on 12.07.2019.

In this regard, it is informed that the information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant as per the provisions of RTI Act, 2005 .

संलग्न: उपरोक्त

AMANJIT SINGH

उप आयुक्त -सह-
 केन्द्रीय जन सूचना
 अधिकारी

Copy to:

1. ~~Sh. Manu Mittu, 16-B, Rishi Nagar, Ludhiana~~

AMANJIT SINGH
 उप आयुक्त -सह-
 केन्द्रीय जन सूचना
 अधिकारी

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) :	CBECE/R/2019/50453	Date of Receipt (प्राप्ति की तारीख) :	18/04/2019
Type of Receipt (रसीद का प्रकार) :	Online Receipt	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	[REDACTED]	Gender (लिंग) :	Male
Address (पता) :	[REDACTED]		
State (राज्य) :	[REDACTED]	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	+91-9868816290
Email-ID (ईमेल-आईडी) :	[REDACTED]		
Status (स्थिति)(Rural/Urban) :	Details not provided	Education Status :	Details not provided
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Citizenship Status (नागरिकता) :	Indian
Amount Paid (राशि का भुगतान) :	10) (original recipient)	Mode of Payment (भुगतान का प्रकार) :	Payment Gateway
Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	[REDACTED] ([REDACTED])		

Information Sought (जानकारी मांगी):

Sir.

The Subramaniam verdict being finalized and settled as the law of land in Civil Appeal No(s). 8883 of 2011 with SLP(C) No. 23513 of 2015, SLP(C) No. 3189 of 2015 & SLP(C) No. 17576 of 2017 and REVIEW PETITION (CIVIL) NO.2512 OF 2018 in CIVIL APPEAL NO.8883 OF 2011 with REVIEW PETITION (C) NO.2519 OF 2018 in SPECIAL LEAVE PETITION (C) NO.17576/2017 has not been implemented in rem by the CBIC. Kindly provide the following information under RTI-

- Number of the officers who have been given the benefit of the above verdict.
- The provisions under which these officers have been given the said benefit.
- Number of officers who have got the said benefit through court orders.
- Number of officers who have got the said benefit through contempt in court orders.
- Number of officers who have gone to the legal courts seeking the said benefit.
- Number of officers who have not been given the said benefit.

Thanks & regards.

[REDACTED]

[REDACTED]

[REDACTED]

I/28348/2019

कार्यालय प्रधान आयुक्त
 OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय लुधियाना
 GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in
 19/07/2019

सेवा में

The Assistant/Deputy Commissioner cum CPIO,
 GST Sub-Commissionerate, Mohali.

The Assistant/Deputy Commissioner cum CPIO,
 GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5. Ferozepur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar 13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Patiala-II 18. Derabassi-I 19. Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/महोदया,

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]
 [REDACTED] reg.

Please find enclosed herewith a copy of RTI application submitted by [REDACTED]
 [REDACTED] seeking certain information under the RTI Act, 2005, received in CPIO office on 17.07.2019 through CCU-Chd.

In this regard, it is informed that the information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

AMANJIT SINGH

केन्द्रीय जन सूचना अधिकारी

Copy to: [REDACTED] information please.

I/28348/2019

AMANJIT SINGH

केन्द्रीय जन सूचना अधिकारी

I/32773/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in
13/08/2019

सेवा में

Shri [REDACTED]
[REDACTED]
[REDACTED] - 201001.

महोदय,

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED] 201001-reg.

Please refer to your RTI application dated 18.04.2019 which was received in this office from office of the Chief Commissioner, Chandigarh on 17.07.2019

In this context, para-wise information is as under:

- (i) Four officers only.
- (ii) The benefit has been given to these 4 officers in compliance to Common Order dated 04.11.2015 of Hon'ble CESTAT, Chandigarh in OA No. 060/01044/2014, OA No.060/ 00688/2015 and MA No.060 / 00688/2018.
- (iii) Four officers only.
- (iv) NIL.
- (v) &(vi) Pertain to Cadre Controlling Authority, Chandigarh.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय

DALJIT
KAUR

[REDACTED]

[REDACTED]

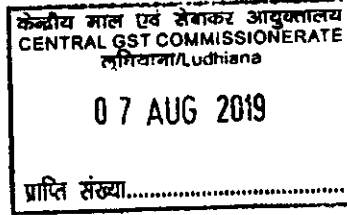
I/32773/2019

केन्द्रीय जन सूचना अधिकारी

प्रति,

केन्द्रीय जन सूचना अधिकारी
केन्द्रीय माल और संचार
आयुक्तालय,
लुधियाना

दिनांक 07/08/2019



विषय: सूचना का अधिकार अधिनियम 2005 के
अन्तर्गत सूचना प्रदान करने

जैसा कि विदित हो मैं अपने पत्र दिनांकित 13/06/2019 के माध्यम
से शत्रु मुद्रा उद्योग या पिलका ~~श्री~~ शरद हैं (अपने पत्रों के तारतम्य में)
"श्री [REDACTED]", आयुक्त अपने लश्करी
भावना में प्रयुक्त मिली के कर का भुगतान नहीं कर
रहे एवं वह भुगतान लुधियाना आयुक्तालय द्वारा बिका जा
रहा है।

मुझे जानकारी मिली है कि मेरे कार्य मुद्रा उद्योग जाते
के बाद लुधियाना आयुक्तालय ने श्री [REDACTED]
को पत्र लिखा जिसमें उनके कुछ लाख रु (लगभग: 5 या 6 लाख)
जमा करने को कहा गया।

श्री सुनील सिंह कटियाट से लिखे गये उक्त पत्र
में उक्त मुद्रा उद्योग का अधिकार अधिनियम 2005 के अन्तर्गत
उपलब्ध कराई जाये।
आपका पत्र के रूप में 10 रु का पोस्टल ऑर्डर 44F726531
इस आवेदन के साथ संलग्न किया जाता है।

07/08/2019
[Signature]

सोमेश तिवारी (अप. आयुक्त)
अपील आयुक्तालय
केन्द्रीय माल और संचार
GST भवन, लुधियाना

[REDACTED]

[REDACTED]

I/37317/2019

कार्यालय प्रधान आयुक्त
 OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय लुधियाना
 GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

05/09/2019

, सेवा में

, श्री [REDACTED]

केन्द्रीय माल एवं सेवाकर आयुक्तालय, अपीलस
 लुधियाना.

, महोदय

विषय:- श्री सोमेश तिवारी द्वारा प्रस्तुत आवेदन के संबंध में आरटीआई अधिनियम, 2005 के तहत सूचना की आपूर्ति।

कृपया उपरोक्त विषय के सन्दर्भ में आप अपने पत्र दिनांक 07.08.2019 का अवलोकन करें।

इस सन्दर्भ में संबंधित शाखा से प्राप्त जानकारी के आधार पर मांगी गयी सूचना निम्नानुसार है:

मांगी गयी सूचना (पत्र) को सूचना के अधिकार अधिनियम 2005 के अनुभाग 8(1)(h) के अंतर्गत देने से इंकार किया जाता है क्योंकि आबंटियों को बिजली के मीटर तथा बिल जारी करने/वसूली बिल जारी करने के बारे में केन्द्रीय माल एवं सेवा कर आयुक्तालय की सतर्कता शाखा द्वारा जांच की जा रही है एवं जब तक जांच पूरी नहीं हो जाती, तब तक सम्बंधित जानकारी साँझा नहीं की जा सकती क्योंकि इससे जांच की प्रक्रिया बाधित हो सकती है।

यदि आप इस उत्तर से संतुष्ट नहीं हैं, तो आप इस आदेश की प्राप्ति के 30 दिनों के भीतर प्रथम अपीलीय प्राधिकारी के आगे अपील कर सकते हैं। प्रथम अपीलीय प्राधिकारी का नाम और पूरा पता निम्नानुसार है

श्री राजन लाचाला, आईआरएस, संयुक्त आयुक्त (प्रथम अपीलीय प्राधिक) , जीएसटी आयुक्तालय, लुधियाना, जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर लुधियाना-141001, टेली- 0161-2300777, फैक्स-0161-2304881

भवदीय,

VISHWA JEET SAHARAN

██████████
████████████████████

I/37317/2019

सहायक आयुक्त-सह-
केन्द्रीय जन सूचना अधिकारी

Office of The Pr. Commissioner
 Goods & Service Tax, Chandigarh
 09 JUL 2019
 e-office
 Receipt/ No. 72766/2019

BY REGISTERED POST

FORM -A

Application for Information under section 6(1) of Right of Information Act, 2005

To

The Public Information Officer
 Central G.S.T. Commissionerate,
 Chandigarh.

Shiv
 16.07.19
Shiv (RTI)

1. Full name of the applicant: [REDACTED]
2. Father name : Sh. [REDACTED]
3. Permanent address : [REDACTED]
 [REDACTED]
 [REDACTED]
 Email- [REDACTED]

Sir,

Kindly provide the following information along with duly authenticated documents i.e. copies of letters as well as copies of note sheet of the relevant file in support of each and every reply for which the information is requested to be provided to the undersigned under Right of Information Act, 2005, Section 6.

Particulars of information solicited :

Kindly refer your reply issued under C.No. IV(16)HQ/Tech/CHD/RTI/Jasvinder/35/19/9352 dated 25.04.2019 to my RTI application dated 19.03.2019 vide which I was informed that 5 inspectors who joined during the period 01.01.1982 to 31.08.1984 are presently posted in CGST Chandigarh Hqrs office namely S/Sh. [REDACTED] and [REDACTED]. NFG was granted to all w.e.f.01.01.2006 except Sh. Ashwani Kumar Singla.

1. Kindly intimate the reasons along-with Rules/instructions/circulars, if any, of non-grant of NFG to Sh. [REDACTED] Singla on 01.01.2006 when all other equally placed officials were granted NFG as per the provisions of the rules as well as the DOPT office memoranda issued in this regard. It is universal principle that equals are to be treated as equal. There should be no disparity among those who are at par among themselves. It is, therefore, requested that the reasons along-with Rules/instructions/circulars, if any, for not granting NFG to Sh. [REDACTED] be provided and remedial measures in this regard taken may be intimated.
2. Reasons for not taking any action for grant of NFG to Sh. [REDACTED] to remove disparity among equals may be intimated.
3. Whether third financial up-gradation of Rs.6600/- has been granted to Sh. [REDACTED] on his completion of 30 years of service in terms of 6th Pay Commission's report.

Handwritten marks consisting of several horizontal strokes of varying lengths and thicknesses, arranged in a cluster.

A series of horizontal strokes, including a long, thick line with a small dot at its right end, and several shorter, thinner lines positioned above and below it.

88411/2019/Tech

4. It has been reported that third financial up-gradation of Rs.6600/- granted to first three officers has been withdrawn. Sh. Ashwani Kumar Singla has been enjoying the benefit of higher grade pay of Rs.6600/- whereas his equally placed colleagues have been denied the benefit of Rs.6600/- and have been given grade pay of Rs.5400/- which is lower than that provided to Sh. Ashwani Kumar Singla. It is universal principle that equals are to be treated as equal and it is fundamental right to equality provided under Article 14 and right against discrimination under Article 15 of our Constitution of India. There shall be no disparity among those who are at par among themselves. It is, therefore, requested that the reasons along-with Rules/instructions/circulars, if any, for granting more grade pay i.e.Rs.6600/- to Sh. [REDACTED] than that granted to other equally placed officers may be provided. Reasons for violation of Article 14 and 15 of the Constitution of India may be intimated.

5. Remedial measures taken to remove the disparity among those at par may be intimated.

6. If no remedial measures are taken, reasons and authority/rules for not taking the remedial measures may be intimated.

7. Whether grade pay of Rs.6600/- granted as third financial up-gradation to S/Sh. [REDACTED] at S.No. 1, 5, 14 & 16 of Establishment Order No. 19/2017 dated 14.03.2017 issued vide C.No.II-39(34)ET.I/2012/Pt/977-991 dated 14.03.2017 by the Office of The Principal Commissioner of Central Excise, Chandigarh (copy of which has been sent to me with your reply to my RTI application) has been withdrawn. If so, details of their pay fixation for calculating their pension may be provided. If not done so, reasons thereof may be provided.

8. S/Sh [REDACTED] all supdts/ assistant commissioners joined the Chandigarh Zone erstwhile known as Chandigarh Collectorate as inspectors between 01.01.1982 to 31.08.1984 and were granted grade pay of Rs.6600/- as third financial up-gradation. Has their grade pay been revised downward from 6600/- to 5400/- to bring them at par with the others like S/Sh [REDACTED] mentioned in Establishment Order No. 19/2017 dated 14.03.2017 issued vide C.No.II-39(34)ET.I/2012/Pt/977-991 dated 14.03.2017 by the Office of The Principal Commissioner of Central Excise, Chandigarh ? If not, reasons along-with Rules/instructions/circulars, if any, for granting more grade pay i.e.Rs.6600/- to them than that granted to other equally placed officers may be provided. Reasons for violation of Article 14 and 15 of the Constitution of India may be intimated.

I enclose herewith postal order No. 39F 023260 for Rs.10/- payable to you as the requisite fee.

Place: Ludhiana.

Date: 26.06.2019.

[REDACTED] 25/6/19

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

I/33199/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

14/08/2019

सेवा में

The Deputy/Assistant Commissioner cum CPIO,
GST Sub Commissionerate-Mohali,

The Deputy/Assistant Commissioner cum CPIO,
GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5. Ferozepur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar 13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Patiala-II 18. Derabassi-I 19. Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/मोहदया,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri [REDACTED] reg.

Please find enclosed herewith a copy of RTI application dated 26.06.2019 filed by Sh. Jasvinder Singh, 191-B, Model Town Extension, Ludhiana-141002 along with it enclosures on the subject cited above, received in CPIO office on 09.08.2019 through CPIO, CGST Commissionerate, Chandigarh.

The mater regarding information sought by the applicant in point no. 7 to 8 is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

DALJIT KAUR
केन्द्रीय जन सूचना
अधिकारी

Copy to: Sh. Jasvinder Singh, 191-B, Model Town Extension, Ludhiana-141002 for information please.

SECRET

I/33199/2019

DALJIT KAUR

केन्द्रीय जन सूचना अधिकारी

I/36601/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

03/09/2019

सेवा में

Sh. [REDACTED]
[REDACTED]
[REDACTED] 141002.

महोदय,

विषय :- Supply of information under RTI Act, 2005 in respect of application submitted by Shri [REDACTED] -reg.

Please refer your RTI application dated 26.06.2019, on the subject cited above received on 09.08.2019 through CPIO, CGST Commissionerate, Chandigarh for providing information in r/o Point No. 7 & 8 of your RTI application.

In this regard, para-wise information is as under:

7&8. The officers mentioned under these paras neither working in this office nor retired on superannuation from this office, therefore the requisite information does not pertain to this office.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय

VISHWA JEET SAHARAN

सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकार

Copy to:

The Assistant Commissioner cum CPIO, CGST Commissionerate, Chandigarh in r/o their office letter File No.TECH-RTI0APL/19/2019-HQ-GST-CHD dated 07.08.2019 for information please.

VISHWA JEET SAHARAN

सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकार

[REDACTED]

[REDACTED]

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या): GSTCH/R /2019/50077 Date of Receipt (प्राप्ति की तारीख): 23/07/2019
Type of Receipt (रसीद का प्रकार): Online Receipt Language of Request (अनुरोध की भाषा): English
Name (नाम): [REDACTED] Gender (लिंग): Male
Address (पता): [REDACTED]
State (राज्य): Punjab Country (देश): India
Phone Number (फोन नंबर): Details not provided Mobile Number (मोबाईल नंबर): + [REDACTED]
Email-ID (ईमेल-आईडी): [REDACTED]
Status (स्थिति)(Rural/Urban): Rural Education Status:
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?): Yes Citizenship Status (नागरिकता): Indian
Amount Paid (राशि का भुगतान): 0 (original recipient) Mode of Payment (भुगतान का प्रकार): Payment Gateway
Request Pertains to (अनुरोध निम्नलिखित संबंधित है): Amanjit Singh GST LDH

DEAR SIR
Centre Jurisdiction

FEROZEPUR CANIT (Jurisdictional Office)

Information Sought (जानकारी मांगी): State Jurisdiction

Ferozpur - Ward No.4
THIS DEPARTMENT UNDER GSTIN NO 03ARJPM9188M1Z1
AGAINST ANY TYPE CASE OR COMPLAINT IN 01/01/2018 TO
23/07/2019

Print Save Close

S/w
Sh. Sunil Kumar
Super (RTI)

[REDACTED]

I/34087/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES-TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, रishi नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

21/08/2019

सेवा में

Sh. [REDACTED]

महोदय,

विषय :- Supply of information under RTI Act, 2005 in respect of application submitted by Shri [REDACTED]-reg.

Please refer to your application dated 23.07.2019 seeking certain information under RTI Act, 2005.

In this regard, the information sought may please be treated as NIL as no complaint/case is received/pending against the referred GSTIN i.e. 03ARJPM9188M1Z1 from 01.01.2018 to 22.07.2019.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय

AMANJIT SINGH

केन्द्रीय जन सूचना अधिकारी

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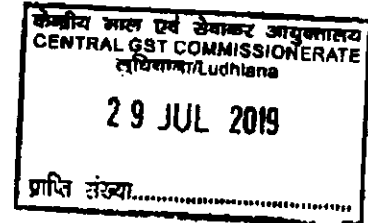
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82693/2019/ADMN-GST-LDH

ਦਫ਼ਤਰ ਸਹਾਇਕ ਕਮਿਸ਼ਨਰ ਸਟੇਟ ਟੈਕਸ, ਲੁਧਿਆਣਾ-1

ਸੇਵਾ ਵਿਖੇ,

ਸੈਂਟਰਲ ਐਕਸਾਈਜ਼ ਹਾਊਸ
ਸੀ.ਜੀ.ਐਸ.ਟੀ ਕਮਿਸ਼ਨਰੇਟ
ਐਫ ਬਲਾਕ ਰਿਸ਼ੀ ਨਗਰ,
ਲੁਧਿਆਣਾ।



ਨੰ. 1233.. ਮਿਤੀ... 29/7/.....2019

ਵਿਸ਼ਾ:- ਆਰ.ਟੀ.ਐਫ. ਐਕਟ 2005 ਅਧੀਨ ਮੰਗੀ ਸੂਚਨਾ ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਆਪ ਜੀ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਮੈਸ. [REDACTED]
[REDACTED] ਲੁਧਿਆਣਾ ਦੇ ਸਬੰਧੀ
ਜੋ ਪੱਤਰ ਪ੍ਰਾਪਤ ਹੋਇਆ ਹੈ ਉਹ ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਨਾਲ ਸਬੰਧਤ ਹੈ ਅਤੇ ਆਪ ਜੀ ਨੂੰ
ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।

ਸਹਾਇਕ ਪਬਲਿਕ ਇਨਫਰਮੇਸ਼ਨ ਅਫ਼ਸਰ
ਲੁਧਿਆਣਾ-1

ਨੰ..... ਮਿਤੀ.....2019

ਇਸ ਦਾ ਇੱਕ ਉਤਾਰਾ:-

1. [REDACTED]
[REDACTED] ਲੁਧਿਆਣਾ

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/33659/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

19/08/2019

सेवा में

The Assistant Commissioner cum CPIO,
GST Divisions,
Central.

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri [REDACTED] -reg.

Please find enclosed herewith a copy of RTI application dated 'Nil' filed by Sh. [REDACTED].
[REDACTED], [REDACTED], [REDACTED] Ludhiana transferred by the State PIO O/o the
Assistant Commissioner, State Tax, Ludhiana-I, on the subject cited above.

The mater regarding information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

संलग्न: उपरोक्त

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

Copy to: [REDACTED]
[REDACTED] Ludhiana for information please.

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/33659/2019

अधिकारी

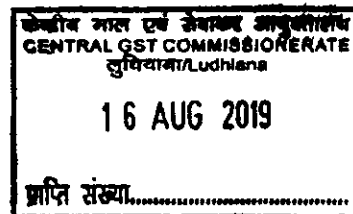
89814/2019/ADMN-GST-LDH

Raj

TO

PIO

90
Principal Commisimer
G.S.T. Commisimale
Ludhiana

R.T.I Under Act 2005

Sir/Madam

Please provide me the following information

1. What will be GST liability on purchase by unregistered person

From registered dealer , in case the Unregistered person

Purchase the goods at heavy discount ,and sell the the product

On higher rate ie MRP which include GST

FOR EXAMPLE

Suppose a doctor, who is non registered dealer ,having not even Drug Licence,

Purchases the medicine from a Registered dealer/Company/C&F on

heavy discount (50% to 80%) and even without bill, and sell the medicine

to his patient on MRP(Which Includes GST) with a profit of 40% to 80% . For eg

if he purchase the medicine of RS: 100 (MRP)on 60% discount ie Rs:-40/- and pay

GST on RS:-40/- and sell it to the patient on Rs:-100/-(MRP) .what will

be the GST liability ? Is he has to pay GST ? How he will deposit it ?

IPO for RS:-10/- toward fee is enclosed(This information is required by post)

49F 017 389

Yours faithfully

Dated 12.8.2019

142001

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I/34008/2019

कार्यालय प्रधान आयुक्त
 OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय लुधियाना
 GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

21/08/2019

सेवा में

Sh. [REDACTED]
 [REDACTED]
 [REDACTED]-142001.

महोदय,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]-reg.

Please refer to your RTI dated 12.08.2019, received in this office on 16.08.2019.

In this context, it is informed that as per Section 2 (f) of the RTI Act, 2005 which exclusively defines **information**. The same is reproduced below:

Section 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:

Thus, from the above it is evident that the information in possession of the public authority in any form as stipulated above is bound to be provided to the information seeker, of course under certain exceptions which are separately deliberated upon under Section 8 of the Act. It also inter-alia means that the information, only in possession of the public authority needs to be supplied to the appellant and in no case can be created for the appellant.

2. The Hon'ble Supreme Court of India in the Civil Appeal No.6454 of 2011 in the case of CBSE & Anr Vs. Aditiya Bandopadhyay & Ors held that:

35. At this juncture, it is necessary to clear some misconceptions about the RTI Act. The RTI

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I/34008/2019

Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of 'information' and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also not required to provide 'advice' or 'opinion' to an applicant, nor required to obtain and furnish any 'opinion' or 'advice' to an applicant. The reference to 'opinion' or 'advice' in the definition of 'information' in section 2(f) of the Act, only refers to such material available in the records of the public authority. Many public authorities have, as a public relation exercise, provide advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act.

In view of the above, the information sought by you cannot be provided under the RTI Act, 2005.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS,
Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2679444, Fax: 0161-2304881.

भवदीय

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी



ਸ਼੍ਰੀ ਅੰਮ੍ਰਿਤਸਰ ਸਕਿਸਟਰੀ
ਕੇਂਦਰੀ ਏਅਰ ਸੁਪਰਵਿਜ਼ ਓਫਿਸ
ਪੈਨਸ਼ਨ
ਵੈਲਫੇਅਰ
ਸ਼ੈਲਟਰੀਜ਼
ਸਮਾਜ ਸੇਵਾ
ਕਿਰੀਓਜ਼
ਸੇਵਾ ਸਕੀਮ/ ਡੀ. ਡੀ. ਡੀ.
ਕਮਰ.....

To
Central excise and service tax
Ludhiana
From

[Redacted]
[Redacted]
[Redacted]

Delhi

ਸ਼੍ਰੀ ਡੀ. ਡੀ.
ਸਕਿਸਟਰੀ

Subject information related to my father under RTI ACT 2005.

Respected sir/madam,

That my father was a partner in the firm M/s [Redacted] and bros. registered with your department vide sales tax number 32972211 and VAT number vide 03811067044 of the firm. The PAN number of firm is AABFK1806H.(a copy of partnership deed of firm is annexed herein as annexure 1).

That a service tax number was applied for the above said firm and it seems to the applicant that the service tax number allotted / provided to the firm is AABFK1806HST001. The GST number of the firm is 03AABFK1806H1ZX.

That I [Redacted] s/o shri. [Redacted] asking information as a 'citizen' as well as being the legal heir of shri [Redacted]. A copy of death certificate of shri. [Redacted] is annexed herein as annexure 2. A copy of applicant's Aadhar card and ration card is annexed herein as 3(1) and 3(2).

I was obliged to receive information from your department that no retirement/dissolution deed was provided to the concerned department (a copy of which is annexed herein as annexure 4). Even the online COVIS system of VAT shows [Redacted] as a partner in the firm.

A recent application made justifying shri. [Redacted] as a partner in the above said firm is annexed herein as annexure 5.

Hence, I would like to receive the following information:

- 1) A certified copy of partnership deed provided to the department for applying service tax number.

██████████
████████████████████
████████████████████

████████████████████

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████████████████████

████████████████████

- 2) Name of all the person introduced as partners of the firm M/s [REDACTED] goyal and bros while applying service tax number.
- 3) Any dissolution/retirement deed justifying [REDACTED] from the firm.
- 4) All changes recorded in constitution of the firm M/s [REDACTED] goyal and bros.
- 5) Name of bank of the firm while applying service tax number.

That the initial request fee of Rs 10/- is paid by the Indian postal order no 44E 155799 (original enclosed herein). I agree to pay extra cost if any to get the information as per Act. Inform me where to pay, whom to pay and how to pay the extra cost. Also, I request the PIO to please provide the information through email at [REDACTED] for early supply of information.

The information requested by the applicant is not of confidential in nature. Also, the disclosure of requested information cannot harm/affect anybody but the applicant as it would be injustice to not to provide the information to him. A copy of RTI objective is enclosed herein as annexure 6 as mention on site.

Thanking you

[Handwritten Signature]
6/18/2019

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/33674/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन एफ.ब्लॉक रूषि नगर लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

#ApprovedDate#

सेवा में

The Assistant Commissioner cum CPIO,
GST Divisions South,
Ludhiana.

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri [REDACTED] reg.

Please find enclosed herewith a copy of RTI application dated 18.06.2019 filed by Sh. [REDACTED]
[REDACTED] received from the State PIO O/o the Assistant
Commissioner, State Tax, Ludhiana-I, on the subject cited above.

The mater regarding information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

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संलग्न: उपरोक्त

#ApprovedByName#

उप आयुक्त -सह-
केन्द्रीय जन सूचना अधिकारी

Copy to: [REDACTED] for
information please.

#ApprovedByName#

उप आयुक्त -सह-
केन्द्रीय जन सूचना अधिकारी

[REDACTED]

[REDACTED]

[REDACTED]

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या): GSTCH/R /2019/50086 Date of Receipt (प्राप्ति की तारीख): 21/08/2019

Type of Receipt (रसीद का प्रकार): Online Receipt Language of Request (अनुरोध की भाषा): English

Name (नाम): [REDACTED] Gender (लिंग): Male

Address (पता): [REDACTED]

State (राज्य): Punjab Country (देश): India

Phone Number (फोन नंबर): Details not provided Mobile Number (मोबाईल नंबर): [REDACTED]

Email-ID (ईमेल-आईडी): [REDACTED]

Status (स्थिति)(Rural/Urban): Urban Education Status: Above Graduate

Is Requester Below Poverty Line? (क्या आवेदक गरीबी रेखा से नीचे का है?): No Citizenship Status (नागरिकता): Indian

Amount Paid (राशि का भुगतान): 10 (original recipient) Mode of Payment (भुगतान का प्रकार): Payment Gateway

Request Pertains to (अनुरोध निम्नलिखित संबंधित है): Amanjit Singh GST LDH

Information Sought (जानकारी मांगी): I. REQUIRED COPY OF RFD 06 AND FORM GST PMT-03 IN REFUND APPLICATION ON DATED 04/01/2019 OF M/S AMRITA KNITWEAR, LUDHIANA HOLDING GSTIN 03BEFPS5180D1Z0, ARN NO. AA030318000516Q DATED 21/12/2018 OF RS. 2725218.00 FOR THE PERIOD JULY-MAR 2017-18

Print Save Close

S/O

Shri Anil
Chopra (Tech)

Insd (P-1)

M/s Amrita Knitwear Ldh.

Pl. Transfer to Div.
Centre, under Section

03BEFPS 5180 D1Z0

6 (3) immediately

Div. Centre

Range-II (Jurisdiction.)

S
21/8/19

[REDACTED]

[REDACTED]

[REDACTED]

I/34217/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन एफ.ब्लॉक ऋषि नगर लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

#ApprovedDate#

सेवा में

The Assistant Commissioner cum CPIO,
GST Divisions Central,
Ludhiana.

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by
Shri [REDACTED] reg.

Please find enclosed herewith a copy of RTI application dated 21.08.2019 filed by Sh.
[REDACTED], Pin-141015, on the subject
cited above.

The mater regarding information sought by the applicant is closely connected with the
working of your office. Accordingly, the RTI application is being transferred to your office
under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested
information directly to the applicant.

संलग्न: उपरोक्त

#ApprovedByName#

उप आयुक्त -सह-केन्द्रीय जन सूचना अधिकारी

Copy to: Sh. [REDACTED] Pin-141015
for information please.

#ApprovedByName#

उप आयुक्त -सह-
केन्द्रीय जन सूचना अधिकारी

—

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या):	GST/CTR 2019 80021 1	Date of Receipt (प्राप्ति की तारीख):	21-08-2019
Transferred From (से स्थानांतरित):	Office of the Chief Commissioner of GST, Chandigarh Zone on 22-08-2019 With Reference Number : GST/CTR 2019 80021		
Remarks (टिप्पणी):	Information pertains to CC Chandigarh zone.		
Type of Receipt (रसीद का प्रकार):	Electronically Transferred from Other Public Authority	Language of Request (अनुरोध की भाषा):	English
Name (नाम):	[REDACTED]	Gender (लिंग):	Male
Address (पता):	[REDACTED]		
State (राज्य):	[REDACTED]	Country (देश):	India
Phone Number (फोन नंबर):	Details not provided	Mobile Number (मोबाईल नंबर):	+91 [REDACTED]
Email-ID (ईमेल-आईडी):	[REDACTED]		
Status (स्थिति)(Rural/Urban):	Urban	Education Status:	Graduate
Requester Letter Number (निवेदक पत्र संख्या):	Details not provided	Letter Date:	Details not provided
Is Requester Below Poverty Line? (क्या आवेदक गरीबी रेखा से नीचे का है?):	No	Citizenship Status (नागरिकता):	Indian
Amount Paid (राशि का भुगतान):	0 (Received by Central Board of Excise and Customs - Central Excise) (original recipient)	Mode of Payment (भुगतान का प्रकार):	Payment Gateway

Request Pertains to (अनुरोध निम्नलिखित संबंधित है): Amanjit Singh GST/EDII

Please provide the following information/documents for public information :

1. Whether e-office has been implemented completely in CGST & Central Excise Zone Chandigarh.
2. If answer for above is No, names of branches/sections where it has not been implemented and what are reasons for that.
3. Please provide the amount of Expenditure incurred on the government for implementation of e-office in the CGST & Central Excise Zone Chandigarh. Scanned Copies of Note Sheets of related files may kindly be provided.
3. Please provide the amount of Expenditure incurred on the government for purchasing of papers/files (A-1, legal and any other type) during the period from 01-01-2018 to 31-07-2019 (separately for periods 01-01-2018 to 30-06-2018, 01-07-2018 to 31-12-2018 and 01-01-2019 to 31-07-2019). Scanned copies of note sheets of related files may also be provided.

All documents which will be provided for the information, may be provided through email on chaudhancraj00@gmail.com.

Please provide the following information/documents for public information :

1. Whether e-office has been implemented completely in CGST & Central Excise Zone Chandigarh.
2. If answer for above is No, names of branches/sections where it has not been implemented and what are reasons for that.
3. Please provide the amount of Expenditure incurred on the government for implementation of e-office in the CGST & Central Excise Zone Chandigarh. Scanned Copies of Note Sheets of related files may kindly be provided.
3. Please provide the amount of Expenditure incurred on the government for purchasing of papers/files (A-1, legal and any other type) during the period from 01-01-2018 to 31-07-2019 (separately for periods 01-01-2018 to 30-06-2018,

Original RTI Text (मूल आरटीआई पाठ):

Information Sought (जानकारी मांगी):

InfoSP (RTI)

P: Transfer to All Div. under Section 6(3) and System a P. Com. Mass office to provide for information within 7 days of receipt of App. letter

26/8

[REDACTED]

[REDACTED]

[REDACTED]

01-07-2018 to 31-12-2018 and 01-01-2019 to 31-07-2019). Scanned copies of note sheets of related files may also be provided.

All documents which will be provided for the information, may be provided through email on chahanneeraj00@gmail.com.

Print Save Close

I/34996/2019

<p>कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: gst.ludhiana@gov.in</p>
--

26/08/2019

सेवा में

The Assistant/Deputy Commissioner cum CPIO,
GST Sub-Commissionerate, Mohali

The Assistant/Deputy Commissioner cum CPIO,
GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5. Ferozpur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar 13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Patiala-II 18. Derabassi-I 19. Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/महोदया,

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by Sh. [REDACTED]-reg.

Please find enclosed herewith a copy of RTI application dated 21.08.2019 submitted by Sh. [REDACTED] seeking certain information under the RTI Act, 2005, received in CPIO office on 22.08.2019 through CCU-Chd.

In this regard, it is informed that the information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

Copy to: Sh. Neeraj Kumar, H.No. 737E, Jindal Global City, Kurukshetra, Haryana for information please.

[REDACTED]

[REDACTED]

I/34996/2019

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

I/39273/2019

कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, रूषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email tech-gstldh@gov.in

17/09/2019

सेवा में

Sh. [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

महोदय,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Sh. [REDACTED]-reg.

Please refer to your RTI application dated 21.08.2019 which was received in this office from office of the Chief Commissioner, Chandigarh on 22.08.2019.

In this context, as per information received from concerned Branches, para-wise information is as under:

- (1) Yes, E-office has been implemented completely in Headquarters Office, Ludhiana.
- (2) NIL in view of para (1) above.
- (3) Expenditure incurred on implementation of e-office for Hqrs. Office is as under:

Sr. No.	Item	Amount (Rs.)
(i)	Networking	52062
(ii)	Scanning & Digitization of record/files	129084 (till date)
(iii)	Purchase of scanner	115800
(iv)	Purchase of computers	617417.9

Since the expenditure has been incurred through various files, the aggrieved party may inspect the concerned filed on 26.09.2019 at 3:00 pm. If this date is not convenient to you, please inform to this office the date and time (falling working day & hours only) convenient to you for inspection of the concerned files.

- (4) Expenditure incurred on purchasing of papers (A4/Legal) is as under:

Sr. No.	Item	Amount (Rs.)	Period
(i)	A4/Legal papers/Files	99530	01.01.2018 to 30.06.2018
(ii)	--do--	0	01.07.2018 to 31.12.2018
(iii)	--do--	41701	01.01.2019 to 31.07.2019

Since the expenditure has been incurred through various files, the aggrieved party may inspect the concerned filed on 26.09.2019 at 3:00 pm. If this date is not convenient

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

I/39273/2019

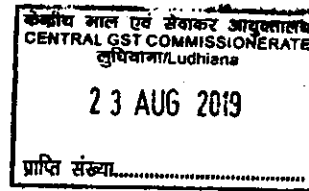
to you, please inform to this office the date and time (falling working day & hours only) convenient to you for inspection of the concerned files.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय

VISHWA JEET SAHARAN
सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकारी



ਸੇਵਾ ਵਿਖੇ,

ਮਾਨਯੋਗ ਪਬਲਿਕ ਸੂਚਨਾ ਅਫਸਰ (ਅਧੀਨ ਆਰ.ਟੀ.ਆਈ.ਐਕਟ 2005)
 ਮਾਨਯੋਗ ਕਮਿਸ਼ਨਰ ਸਾਹਿਬ,
 ਜੀ.ਐਸ.ਟੀ. ਵਿਭਾਗ, ਲੁਧਿਆਣਾ।

ਪ੍ਰਾਰਥੀ ਦਾ ਪੂਰਾ ਨਾਮ : [REDACTED]

ਪ੍ਰਾਰਥੀ ਦਾ ਪੂਰਾ ਪਤਾ : [REDACTED]

ਮੋਬ: ਨੰ [REDACTED]

ਲੋੜੀਂਦੀ ਜਾਣਕਾਰੀ ਦਾ ਵੇਰਵਾ:-

1) ਵਿਸ਼ਾ:- ਮੈਸ. [REDACTED], ਜਿਲਾ ਲੁਧਿਆਣਾ
 ਜਿਸਦਾ ਜੀ.ਐਸ.ਟੀ. ਨੰਬਰ [REDACTED]
 ਵਲੋਂ ਮੈਸ. [REDACTED]
 [REDACTED] ਮਿਤੀ [REDACTED] ਤੇ [REDACTED]
 ਤੱਕ ਭੇਜੇ ਗਏ ਮਾਲ ਦਾ ਪੂਰਾ ਵੇਰਵਾ ਦੇਣ ਸਬੰਧੀ।

2) ਜਾਣਕਾਰੀ ਦਾ ਸਮਾਂ:- ਹੁਣ ਤਕ ਦਾ

3) ਤਸਦੀਕਸੁਦਾਕ ਕਾਪੀਆ ਤੇ ਜਾਣਕਾਰੀ ਜੋ ਪ੍ਰਾਰਥੀ ਨੂੰ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਦਿੱਤੀ

~~ਜਾਵੇ~~

ਮੈਸ. [REDACTED], ਜਿਲਾ ਲੁਧਿਆਣਾ ਜਿਸਦਾ [REDACTED]

ਨੰਬਰ

ਵਲੋਂ ਮੈਸ. [REDACTED]

[REDACTED] ਨੂੰ ਮਿਤੀ 1.4.2018 ਤੇ 31.3.2019 ਤੱਕ ਭੇਜੇ ਗਏ ਮਾਲ ਦਾ ਪੂਰਾ ਵੇਰਵਾ ਦੇਣ ਸਬੰਧੀ।

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

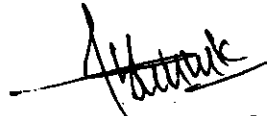
[REDACTED]

4) ਉਕਤ ਸਾਰੀ ਜਾਣਕਾਰੀ ਪ੍ਰਾਰਥੀ ਨੂੰ ਡਾਕ ਰਾਹੀਂ ਦਿੱਤੀ ਜਾਵੇ।

ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਹੈ ਕਿ ਉਕਤ ਜਾਣਕਾਰੀ ਸੂਚਨਾਂ ਅਧਿਕਾਰ ਐਕਟ,
2005 ਦੇ ਨਿਯਮਾਂ ਮੁਤਾਬਕ ਸਿਥੇ ਸਮੇਂ ਵਿੱਚ ਦਿੱਤੀ ਜਾਵੇ।

ਸਥਾਨ : ਲੁਧਿਆਣਾ

ਮਿਤੀ :


ਦਸਤਖਤ ਪ੍ਰਾਰਥੀ

49F 533943

ਦਰਖਾਸਤ ਨਾਲ 10/- ਰੁਪੇ ਦਾ ਪੋਸਟਲ ਆਡਰ ਨੰ: A..... DATED ਨਾਲ
ਨੱਥੀ ਹੈ। ਬਾਕੀ ਦੀ ਜੇ ਕੋਈ ਫੀਸ ਉਕਤ ਜਾਣਕਾਰੀ ਲੈਣ ਸਬੰਧੀ ਬਣਦੀ ਹੋਵੇਗੀ ਤਾਂ
ਪ੍ਰਾਰਥੀ ਦੇਣ ਦਾ ਪਾਬੰਧ ਹੈ।

I/35093/2019

कार्यालय प्रधान आयुक्त
 OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय लुधियाना
 GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

27/08/2019

सेवा में

The Assistant Commissioner cum CPIO,
 GST Division Khanna,
 District-Ludhiana.

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]-reg.

Please find enclosed herewith a copy of RTI application filed by Sh. [REDACTED] S/o Sh.

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Ludhiana received in CPIO office on 23.08.2019, on the subject cited above.

The mater regarding information sought by the applicant is closely connected with the working of your office. Accordingly, the RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

संलग्न: उपरोक्त

AMANJIT SINGH
 उप आयुक्त -सह-
 केन्द्रीय जन सूचना
 अधिकारी

Copy to: Sh. [REDACTED] information please.

AMANJIT SINGH
 उप आयुक्त -सह-
 केन्द्रीय जन सूचना
 अधिकारी

[REDACTED]

[REDACTED]

Ref : J5/2017-18/139

Date : 08.06.2017

Ms. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] - 110001.

S. K. Tyagi
9/20/6/17

Sub : Information required under RTI act 2005.

Madam,

I am in receipt of your letter no. : DGEP/RTI/01/2016/499 dated 28.03.2017. What 1st Appellate Authority has replied under (3) was not my intention. Therefore, I am making this fresh application to have reply.

(1) Information if time period allowed by FTP as per appendix 6G(d) is at par available through any central excise and /or customs notification. If yes, please provide copy of the same circular / notification or notification no. may be provided. If not, information may be provided whether department of revenue also accept what time limit is permitted under FTP 6G(d).

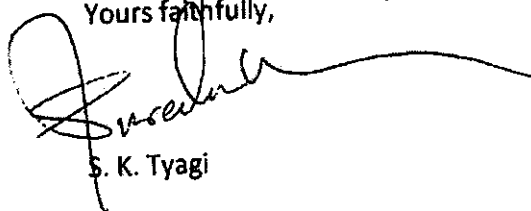
A fee of Rs 10/- paid by the postal orders No. 40F 306240 favoring 'Directorate General for Export Promotion' payable at 'New Delhi' is enclosed.

This is to certify that I, [REDACTED] is a citizen of India.

I state that the information sought does not fall within the restriction contained in section 8 and 9 of RTI Act 2005 and to the best of my knowledge, it pertains to your office.

Thanking you,



Yours faithfully,


S. K. Tyagi

[REDACTED]

[REDACTED]

I/35350/2019

	<p>कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: gst.ludhiana@gov.in</p>	
28/08/2019		

सेवा में

The Assistant/Deputy Commissioner cum CPIO,
GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5. Ferozpur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar 13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Pātiala-II 18. Derabassi-I 19. Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/महोदया,

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]
[REDACTED] eg.

Please find enclosed herewith a copy of RTI application dated 08.06.2017 submitted by Sh. [REDACTED]
[REDACTED]-110027 seeking certain information under the RTI Act, 2005, received in CPIO office on 27.08.2019 through CCU-Chd.

In this regard, it is informed that the information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

Copy to:

- (i) Sh. [REDACTED] [REDACTED] [REDACTED] for information please.
- (ii) The Assistant Commissioner cum CPIO, Goods & Service Tax, Chandigarh

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11

11

11



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I/35350/2019

Zone, Chandigarh in r/o their letter File No. RTI-APP/9/2018-GST ZONE-CHD01/08/2019 for information please.

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

I/36061/2019

	कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: gst.ludhiana@gov.in	
	30/08/2019	

सेवा में

Shri [REDACTED]
[REDACTED]
[REDACTED] -110027

महोदय,

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by Sh. S. K. Tyagi-reg.

Please refer to your RTI application dated 08.06.2017 which was received in this office on 01.08.2019 from CCU, Chandigarh in pursuance of OM dated 25.07.2019 issued by the Assistant Director/CPIO, DGEP, New Delhi.

In this context, para-wise information is as under:

(i) & (ii) Information sought is available in the public domain i.e. website of the CBIC url : <http://www.cbic.gov.in>

(iii) Does not pertain to this office.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय

AMANJIT SINGH

उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

[REDACTED]

I/36061/2019

Copy to:

The Assistant Commissioner cum CPIO, Goods & Service Tax, Chandigarh Zone, Chandigarh in r/o their letter File No. RTI-APP/9/2018-GST ZONE-CHD dated 01/08/2019.

AMANJIT SINGH
उप आयुक्त -सह-
केन्द्रीय जन सूचना
अधिकारी

Application for Information under section The Right To Information Act-2005

To,

The Central Public Information Officer : Office of The Principal Commissioner .

(Name of the office with address) Hon'ble [REDACTED] Commissioner , Goods & Service Tax Commissionerate, GST Bhawan, Rishi Nagar, LUDHIANA-141001.

1. Full name of the applicant : [REDACTED]
2. Father name : Sh. [REDACTED]
3. Permanent address with contact Nos. : [REDACTED]
[REDACTED]
4. particulars in respect of identity of the applicant : Business Person
5. Particulars of information solicited. : **Subject : Information regarding of GST theft**

caught after search and investigation against [REDACTED]

(b) The period to which the information relates: 01.07.17 to 31.07.2019 or till date.

(c) Specific details of information required: Details following :

I should be provided with the following information under the RTI Act.

1. The Commissionerate of Goods and Services Tax had search conducted on 18.07.2018 against [REDACTED] Limited. After the search the department had investigated, how much GST theft recovered from Master Capital Services Limited.

I should be provided the information under the RTI Act.

2. According to the rules of the department, after the search, how much the maximum time limit for completed to investigation . Has the department completed an the investigation against [REDACTED] Limited or not.I should be provided the information under the RTI Act.

3. Master Capital Services Limited is charging GST on other charges in tax invoice. I should also be provided with information on whether the department is receiving GST on other charges in the Tax Invoice or not .

4. I should also be provided information that the file against [REDACTED] [REDACTED] for stealing GST tax has been closed or investigation is going on against it.

(d) Whether information is required by post or in person (The actual postal charges shall be [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

95626/2019/Tech

included in providing information) Yes. P.O Rs.10/- (Ten only).

(e) In case by post (ordinary, registered or speed) Registered Post.

6. Address to which information will be sent & in which form. : Above
7. Has the information been provided earlier : X
8. Is this information not made available by the public authority : X
9. Do you agree to pay the required fee : Yes
10. Have you deposited application fee (If yes details of such deposit) : Postal Order 47 F
916237 (Rupees Ten Each) Total = Rupees Ten only.
11. Whether belongs to BPL category, have you furnished the proof the same: X
(Note : Aadhar card copy enclosed with this letter)

Place : BARNALA

Date : 29.08.2019.

Full Signature of the applicant

Address: [REDACTED]

Contact Nos [REDACTED]

Email : [REDACTED]

[REDACTED]

I/39660/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

19/09/2019

सेवा में

Shri [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

महोदय,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri [REDACTED]-reg.

Please refer your subject RTI application dated 29.08.2018.

In this regard para-wise information received from the concerned Branch is as under:-

1,3&4) The sought for information cannot be provided, it being a third party information as defined under section 8(1)(d) of the RTI Act, 2005, the disclosure of which has been denied by M/s [REDACTED] vide their email dated 04.01.2019. The disclosure of information sought has no relationship to any public activity or interest and as such, the same cannot be provided under section 8(1)(j) of the RTI Act, 2005. The information sought is also related to the process of investigation, thus, details cannot be provided as per the provisions of 8(1)(h) of the RTI Act, 2005.

2) The case is under Investigation. As regard the time limit for completing an investigation, the same is available in public domain and can be retrieved from official website of CBIC.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय,

VISHWA JEET SAHARAN

[REDACTED]

[REDACTED]

[REDACTED]

I/39660/2019

सहायक आयुक्त -सह-
केन्द्रीय जन सूचना अधिकारी

95634/2019/Tech

Application for Information under section The Right To Information Act-2005

To,

The Central Public Information Officer - Office of The Principal Commissioner .

(Name of the office with address) Hon'ble Ashutosh Baranwal . Commissioner , Goods & Service Tax Commissionerate, GST Bhawan, Rishi Nagar, LUDHIANA-141001.

1. Full name of the applicant : [REDACTED]
2. Father name : [REDACTED]
3. Permanent address with contact Nos. [REDACTED]
[REDACTED]
4. particulars in respect of identity of the applicant : Business Person
5. Particulars of information solicited. : **Subject : Information regarding of Service Tax theft caught by department against Findoc Investmart Private limited .**

(b) The period to which the information relates: 01.07.17 to 31.07.2019 or till date.

(c) Specific details of information required: Details following :

The Goods and Services Tax Commissionerate, Ludhiana having pending complaint against [REDACTED] for stealing service tax. I should be provided with the following information under the RTI Act.

1. [REDACTED] has levied to service tax on brokerage and Other charges in the Contract Note. Findoc has showing Service Tax in two different 'head' in the Contract Note. I should be provided the information , whether the department has collect to service tax on other charges from Findoc.

2. I should be provided with the information as to how much service tax evasion is caught by the department against [REDACTED]

3. I should also be provided information that the file against [REDACTED] GST tax has been closed or investigation is going on against it.

(d) Whether information is required by post or in person (The actual postal charges shall be included in providing information) Yes. P.O Rs.10 - (Ten only).

(e) In case by post (ordinary, registered or speed) Registered Post.

6. Address to which information will be sent & in which form. : Above
7. Has the information been provided earlier : X

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

95634/2019/Tech

8. Is this information not made available by the public authority : X
9. Do you agree to pay the required fee : Yes
10. Have you deposited application fee (If yes details of such deposit) : Postal Order 47 F
916238 (Rupees Ten Each) Total = Rupees Ten only.
11. Whether belongs to BPL category, have you furnished the proof the same. X
(Note : Aadhar card copy enclosed with this letter)

Place : BARNALA

Date : 29.08.2019.

Full Signature of the applicant

Address

Contact Nos

Email :

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/40093/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

20/09/2019,

सेवा में

Shri [REDACTED],
[REDACTED],
[REDACTED],
[REDACTED] 148101.

महोदय,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri Bhagwant Rai -reg.

Please refer your subject RTI application dated 29.08.2018.
In this regard para-wise information received from the concerned Branch is as under:-

1&2) The information sought cannot be provided, it being a third party information as defined under section 8(1)(d) of the RTI Act, 2005, the disclosure of which has been denied by M/s [REDACTED] vide their email dated 03.01.2019. The disclosure of information sought has no relationship to any public activity or interest and as such, the same cannot be provided under section 8(1)(j) of the RTI Act, 2005. The information sought is also related to the process of investigation, thus, details cannot be provided as per the provisions of 8(1)(h) of the RTI Act, 2005.

3) The case of M/s [REDACTED] is under Investigation.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय,

VISHWA JEET SAHARAN

सहायक आयुक्त -सह-केन्द्रीय जन सूचना अधिकारी

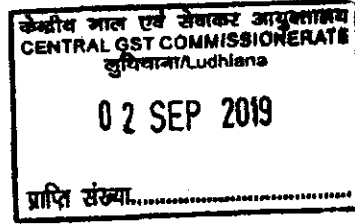
[REDACTED]

[REDACTED]

[REDACTED]

96847/2019/ADMN-GST-LDH

To
The C.P.I.O.
Office of the Principal Commissioner,
CGST Commissionerate,
Rishi Nagar, Ludhiana



Sir,

Subject : RTI Act – Non payment of reward in the case of M/s. [REDACTED]
[REDACTED] – request regarding.

It is humbly submitted as under:-

- i. That while posted as Superintendent, Central Excise Range, Moga in the year 2013-14, I had participated in a Service Tax detection case against M/s. [REDACTED] under the jurisdiction of erstwhile Central Excise Division, Sangrur.
- ii. That I have come to know that a reward has been sanctioned in this case to all the participating officers. If so, a copy of Sanction Order may please be supplied.
- iii. That whether the reward so sanctioned has been paid to all the concerned officers. If so, names thereof may please be intimated.
- iv. The names of the officers to whom reward has not so far been paid may also be intimated along with reasons for delay.
- v. That the time by which the amount of reward is likely to be paid to me may also be intimated.

The above information is being sought under the RTI Act. The postal order no. 080554 for Rs. 10/- is enclosed. You are requested to supply the above information at the earliest and oblige.

Thanking you

Yours Faithfully

[REDACTED]
[REDACTED] 30/8/19
[REDACTED]
[REDACTED]

Encl: as above

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

प्रमुख आयुक्त कार्यालय
OFFICE OF THE PRINCIPAL COMMISSIONER
माल एवं सेवा कर आयुक्तालय
GST COMMISSIONERATE



F-Block, Rishi Nagar, Ludhiana -141001 (Punjab)

C.No.V(Hq)Prev.Ldh/Mkt/18/01/2016 / 11 740-44

Dated: 13.12.2017

MEMORANDUM

Sub: One time reward to the officers & Staff in the case of evasion of Service Tax by M/s. [REDACTED]

Sanction is hereby accorded for the payment of a sum of Rs. 8,62,500/- (Rupees Eight lakh sixty two thousand five hundred only) as one-time final reward to the departmental officers belonging to Central Excise & Service Tax Commissionerate-Ludhiana at the material time in respect of the above case as shown against each of them in Annexure-A attached herewith. The payment of the sanctioned amount to those officers against whom complaints of disciplinary proceedings are pending or who are under suspension or undergoing punishment shall, however, be made only after such officers are exonerated of the charge or in the case of punishment, the punishment period is over in terms of the instructions contained in Ministry's letter F.No.R-150117/80-Ad dated 22.03.1983.

2. The expenditure is debitable to the Head of Account "Other Charges A-19" as may be applicable and admissible during the current financial year 2017-18.

3. This sanction is subject to the condition that with the disbursement of sanctioned amount reward ceiling of Rs. 20,00,000/- in respect of an individual departmental officers stipulated in Ministry's Circular No. 20/2015 dated 31.07.2015 is not exceeded. It shall be the responsibility of the disbursing officers and the receiving officers to ensure that the ceiling of Rs. 20 lakh is not exceeded by the instant sanction order.

4. It is stated that the principles and the conditions as prescribed in the instruction issued by the Ministry of Finance from time to time were duly considered and complied with in accordance with the above sanction.

Encl: Annexure-A

[Signature]
- Commissioner,
GST-Ludhiana Commissionerate.

To,
The Pay & Accounts Officer, GST Commissionerate, Ludhiana with the request to draw this amount from the Budget Grant for the year 2017-18.

- Copy forwarded for information and necessary action to :
1. The Additional Commissioner, Sub-Contt.-Mohali, GST Commissionerate-Ludhiana.
 2. The Joint Commissioner (P&V)/ Joint Commissioner (Audit), GST Commissionerate-Ludhiana.
 3. The A.C. (P& Cash), GST-Commissionerate, Ludhiana.
 4. Guard file

[Signature]
12/12/17
Joint Commissioner(Prev.)

1

2

Annexure-A

Details of officers-staff to whom one time final reward has been sanctioned on 12/12/2017 by the Commissioner, GST-Commissionerate, Ludhiana in case of M/s. Mahanand Khewaji Trust- Faridkot.

Details of the officers/staff to whom one time reward has been sanctioned on 12/12/2017 by the Commissioner, GST-Ludhiana in the service tax evasion case against M/s.M/s. [REDACTED]

Sl. No.	Name of the officer S/Sh./Smt	Final reward Sanctioned (Rs.)
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Severed

[REDACTED]	[REDACTED]	[REDACTED]
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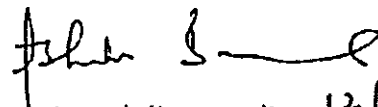
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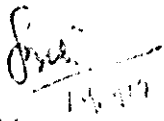
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(Ashutosh Baranwal) 12/XII/2019
Commissioner,
GST-Commissionerate, Ludhiana



(Mrs. Sunita Bector)
Joint Commissioner (Prev.)
GST-Commissionerate, Ludhiana.



(Aman Garg)
Joint Commissioner,
GST-Audit, Ludhiana.

101299/2019/Tech



कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना - 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001



Dated: 24.05.2019

C.No.IV(Hqrs)Prev/Ldh/Mkt/18/01/2016/650 - S2

CORRIGENDUM

Sub: One time reward to the officers and staff in the case of evasion of Service Tax by M/s.
[REDACTED]

In partial modification to the memorandum issued vide C.No.IV(Hqrs)Prev/Ldh/Mkt/18/01/2016/11740-44 dated 13.12.2017 by the Commissioner, GST Commissionerate, Ludhiana, and as amended vide Corrigendum C.No.IV(Hqrs)Prev/Ldh/Mkt/18/01/2016/54-56 dated 10.04.2019, in Para-2 of the memorandum the words and figures "2. The expenditure is debitable to the Head of Account "other Charges A-19" as may be applicable and adjustable during the current financial year 2019-20.", may be read as:-

"2. The expenditure is debitable to the Head of Account "Rewards" as may be applicable and adjustable during the financial year 2019-20 (subject to availability of funds in the respective year)."

The memorandum stands modified to the above extent only.


Principal Commissioner

To

The Pay & Accounts Officer, GST Commissionerate-Ludhiana, with request to draw this amount from the budget grant for the Financial year 2019-20.

Copy forwarded for information and necessary action to:

1. The Joint Commissioner (P&V), CGST Commissionerate Ludhiana.
2. The A.C. A.O. (Pay & Cash), CGST Commissionerate, Ludhiana.




23/05/19
Joint Commissioner (Prev.)

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I/40479/2019

	<p>कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in</p>	
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23/09/2019

सेवा मे

Sh. [REDACTED],
[REDACTED],
[REDACTED]

महोदय,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Sh. [REDACTED]-reg.

Please refer to your RTI application dated 30.08.2019, on the subject mentioned above. In this context, para-wise information as received from concerned Branches is as under:

1. Not Applicable.
2. Yes, a reward has been sanctioned for all the participating officers. The copy of the Sanction order and the corrigendum is enclosed.
3. Reward paid to 30 out of 37. In light of para-14 of judgement of Hon'ble Supreme Court of India in Civil Appeal no. 22 of 2009 dated 31.08.2017, the information sought is personal & exempted to be disclosed under clause (j) of Section 8(1) of the RTI Act, 2005.
4. Reward not paid to 7 out of 37. In light of para-14 of judgement of Hon'ble Supreme Court of India in Civil Appeal no. 22 of 2009 dated 31.08.2017, the information sought is personal & exempted to be disclosed under clause (j) of Section 8(1) of the RTI Act, 2005.
5. That the information asked is in the nature of a question and the term 'information' under section 2(f) the RTI ACT, 2005 does not include questions as also clarified vide DoPT OM No1/7/2009-IR dated 01st June 2009 & DoPT OM No1/7/2009-IR dated 20/05/2011.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

I/40479/2019

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana,
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001,
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय,

संलग्न: उपरोक्त.

VISHWA JEET SAHARAN
सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकारी

100213/2019/Tech

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)	
Registration Number (पंजीकरण संख्या) :	GSTCH/R/2019/50091 Date of Receipt (प्राप्ति की तारीख) : 28/08/2019
Type of Receipt (रसीद का प्रकार) :	Online Receipt Language of Request (अनुरोध की भाषा) : English
Name (नाम) :	[REDACTED] Gender (लिंग) : Male
Address (पता) :	[REDACTED] Pin:400031
State (राज्य) :	Maharashtra Country (देश) : India
Phone Number (फोन नंबर) :	Details not provided Mobile Number (मोबाईल नंबर) : +91-[REDACTED]
Email-ID (ईमेल-आईडी) :	[REDACTED]
Status (स्थिति) (Rural/Urban) :	Urban Education Status : Graduate
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No Citizenship Status (नागरिकता) : Indian
Amount Paid (राशि का भुगतान) :	10) (original recipient) Mode of Payment (भुगतान का प्रकार) : Payment Gateway
Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	Vishwajeet Saharan GST LDH
Information Sought (जानकारी मांगी):	The Following RTI pertains to the O/o The Commissioner, CGST & Central Excise, Ludhiana Commissionerate. Subject: Grant additional post allowance for discharging additional responsibilities of other post(s) in addition to the charge of one post.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Reference:

- 1) Letter dated 08.05.2019 dispatched vide registered post dated 09.05.2019 bearing tracking ID RM738424621IN, which was delivered on 13.05.2019.
- 2) Reminder Letter-I dated 06.06.2019 dispatched vide registered post dated 07.06.2019 bearing tracking ID RM046734833IN, which was delivered on 11.06.2019.
- 3) Reminder Letter-II dated 11.07.2019 dispatched vide registered post dated 12.07.2019 bearing tracking ID RM726834010IN, which was delivered on 16.07.2019.

The above mentioned letter and reminder letters were written to The Commissioner, CGST & Central Excise, Ludhiana Commissionerate on the above mentioned subject. In this regard, kindly provide below mentioned information:

- 1) Whether all the 3 letters (mentioned above) were received by department or not.
- 2) Whether above mentioned letters were put up for Commissioner perusal or not. The copy of concerned notesheet may also be provided.
- 3) What is the current status about the grant of additional allowance in my case.
- 4) What is the action taken on these letters till date. The action taken report along with the concerned notesheet may please be provided.

The above information may please be sent on the registered email address also i.e. aggarwall11@gmail.com

V/41424/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषिनगर, लुधियाना-141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फेक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

#ApprovedData#

दिनांक: 26/09/2019

सेवा में

Shri [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

महोदय,

विषय:- Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]

Please refer to your RTI application dated 28.08.2019, on the above mentioned subject.

In this context, para-wise information as received from concerned Branch is as under:

1: Yes.

2: The above mentioned letters were dealt by Joint Commissioner (P&V) & Deputy Commissioner (P&V). It is pertinent to state that Deputy Commissioner (P&V) has been designated as Head of Office & is competent to deal with such matters.

3 & 4: As per the Para 3(c) of DOPT OM bearing No. 2/13/2017-Estt.(Pay.II) dated 05 August 2018 "No Additional Post Allowance should be paid to an employee who is appointed to hold current charge or the routine duties of an additional post, irrespective of the duration of the current charge". The reply has already been sent vide letter File No. ET-II-POL/5/2019-HQ-GST-LDH dated 24.07.2019 (copy attached).

Further, it is informed that you are an employee of the Central Government, and as stated in OM F.No. 11013/08/2013-Estt(A-III). Government of India, Ministry of Personal, Public Grievance and Pensions, Department of Personal and Training, Establishment, Para 2, 'wherever, in any matter connected with his service rights or conditions, a Government servant wishes to press a claim or to seek redress of a grievance, the proper course for him is to address his immediate official superior or Head of his office or such other authority at the appropriate level who is competent to deal with the matter in the organisation.' it is clear that you have not filed your grievance through proper channel.

Further the Chief Information Commissioner, A.P. Information Commission in Appeal No. 571/CIC/2009 dated 09.09.2009 of Sh. Ch. Srinivasu , Asst Engineer (Operation) Ordered as below :-

"For grievance redressal on service matters, there are established channels within the deptt. RTI, in the spirit it was enacted, for more for ordinary citizens who are victims of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

I/41424/2019

malafide, colourable and subjective orders of the Government. The RTI should not be invoked on inter-se service matters for which the Government has established channels for redressal of grievances".

The Applicant being Govt. Officer himself should have resorted to the established channels within the department for redressal of grievance.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

संलग्न: उपरोक्त



भवदीय



#ApprovedByName#

सहायक आयुक्त सह
केन्द्रीयजनसूचनाअधिकारी

129764/2019/Tech

	<p style="text-align: center;"> कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER, माल एवं सेवाकर आयुक्तालय, लुधियाना CENTRAL GOODS AND SERVICES TAX COMMISSIONERATE-LUDHIANA जीएसटी भवन, एफ ब्लॉक, रishi नगर, लुधियाना - १४१००१ GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA-141001 दूरभाष/TELE:-0161-2679419 ईमेल/Email:gst.ludhiana@gov.in </p>	
---	---	---

Dated:24/07/2019

To,

Sh. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sub: Grant of additional post allowance for discharging additional responsibilities of other post in addition to charge of one post - Reg.

Please refer to your letters dated 08.05.2019, 06.06.2019 & 11.07.2019 on the above cited subject.

In this regard, it is to inform you that the matter has been examined and you are found ineligible for extra allowance in terms of Para 3(c) of DOPT OM bearing No . 2/13/2017-Estt.(Pay.II) dated 05/August/2018 , reproduced as under for your convenience:

'No Additional Post Allowance should be paid to an employee who is appointed to hold current charge or the routine duties of an additional post, irrespective of the duration of the current charge '.

This issues with the approval of JC (P & V) CGST Commissionerate , Ludhiana.

Deputy Commissioner(P&V)

[REDACTED]

F(E) Spl. [Signature]
13.8.18
5/24

No.2/13/2017-Estt.(Pay.II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi

Dated : 8th Aug, 2018

OFFICE MEMORANDUM

Subject: Grant of Additional Post Allowance- abolition of existing Acting allowance (being granted in Defence forces), and Dual Charge allowance (being granted in Ministry of Railways) - decision of the Government on the recommendation of the Seventh Central Pay Commission (7th CPC).

The undersigned is directed to say that the decisions of the Government on various allowances based on the recommendations of the 7th Central Pay Commission and in the light of the recommendations of the Committee under the Chairmanship of Finance Secretary have since been notified vide resolution No.11-1/2016-IC dated 6th July, 2017.

2. As mentioned in the Appendix-II of the said Resolution, dated 6th July, 2017 the existing allowances viz. Acting allowance (Sl.No. 2 of Appendix-II), and Dual Charge allowance (Sl.No. 52 of Appendix-II), have been abolished as a separate allowance and the eligible employees are now to be governed by the newly proposed Additional Post Allowance.

3. Accordingly, the above allowances shall stand abolished and the President is pleased to decide that the eligible employees shall now be covered under a new Additional Post Allowance which will be administered as under:

a. An employee formally appointed to hold full charge of the duties of a higher post, in addition to the duties of his own post, will be entitled to draw the pay that would be admissible to him if he was appointed to the higher post on regular basis OR 10 percent of his present Basic Pay per month, as Additional Post Allowance, whichever is more beneficial, provided the sum total of his Basic Pay and Additional Post Allowance does not exceed the Apex Pay i.e. Rs.2,25,000/- .

b. An employee formally appointed to hold full charge of the duties of a post on similar level as his own post, in addition to the duties of his own post, will be entitled to draw 10 percent of his present Basic Pay per month, as Additional Post Allowance, provided the sum total of his Basic Pay and Additional Post Allowance does not exceed the Apex Pay.

c. No Additional Post Allowance should be paid to an employee who is appointed to hold current charge or the routine duties of an additional post, irrespective of the duration of the current charge.

d. The allowance will be admissible only if the duration of additional charge exceeds 45 days.

-2-

e. This arrangement cannot continue for a particular vacant post for more than 1 year, and for a particular employee for more than 6 months at a stretch. In addition, there shall be a minimum gap of 1 year between two such successive appointments of a particular employee.

4. Additional Post Allowance will be granted to Junior Commissioned Officers (JCOs) of the Army & equivalent in Navy and Air force for holding appointment of Captain & equivalent and Major & equivalent.

5. In so far as grant of Additional Post Allowance to officers in Indian Railways is concerned, other terms & conditions as provided in Board's letter dated 19.08.2011 and provisions contained in para 645 to 650 of Indian Railway Establishment Manual Vol.I which are not modified by provisions of this OM will continue.

6. Additional Post Allowance will not be granted to an employee for holding additional charge of lower post.

7. These orders shall be effective from 1st July, 2017.



(Ashok Kumar Jain)

Deputy Secretary to the Govt. of India

424 To
9-5-18
JDF (P)

(i)

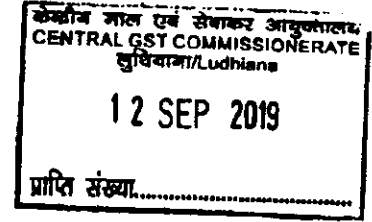
Ministry of Defence
(Shri Prashant Rastogi, US(Pay/Service))
Sena Bhawan, New Delhi

(ii)

Ministry of Railways,
(Ms. G. Priya Sudarsani, Jt. Director (Finance-Estt))
Railway Board,
Rail Bhawan, New Delhi

Copy to : Joint Secretary (Pers), Department of Expenditure, North Block, New Delhi.

URGENT



The Right to Information Act, 2005

TO,

RTI OFFICER,
GOODS AND SERVICE TAX DEPARTMENT,
LUDHIANA.

Subject:- **APPLICATION UNDER THE RIGHT TO
INFORMATION ACT 2005.**

Respected Sir,

That I am [REDACTED] wife of [REDACTED],
my husband is the partner of this firm, so I Want to know
about the detail **GSTR-1, GSTR-3B AND GSTR-9** of
the year **2017-2018, 2018-2019, 2019-2020** of the
firm [REDACTED], THE GST NUMBER IS:-
[REDACTED]

Who has following addresses in Ludhiana.

1. **FIRST ADRESS:-** [REDACTED]
[REDACTED],

2. **SECOND ADRESS:-** [REDACTED]

AND

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3. THIRD ADRESS:- [REDACTED]
[REDACTED]
[REDACTED]

4. I annexure the copy of status of above said GST return.

5. POSTAL ORDER OF RS 20.....

THANKS

Sania

DATE- 09/98/2019

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फ़ैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

13/09/2019

सेवा में

The Assistant Commissioner cum CPIO,
GST Divisions South,
Ludhiana.

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by [REDACTED]

Please find enclosed herewith a copy of RTI application dated 09.09.2019 fled by Ms. [REDACTED] on the subject cited above received in CPIO office on 12.09.2019.

The mater regarding information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय,

संलग्न: उपरोक्त

VISHWA JEET SAHARAN
सहायक आयुक्त
-सह-
केन्द्रीय जन सूचना
अधिकारी

Copy to: [REDACTED]

VISHWA JEET SAHARAN

सहायक आयुक्त -सह-
केन्द्रीय जन सूचना

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102084/2019/ADMN-GST-LDH

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या): GSTCH/R/2019/50092 Date of Receipt (प्राप्ति की तारीख): 07/09/2019

Type of Receipt (रसीद का प्रकार): Online Receipt Language of Request (अनुरोध की भाषा): English

Name (नाम): [REDACTED] Gender (लिंग): Male

Address (पता): [REDACTED]

State (राज्य): Punjab Country (देश): India

Phone Number (फोन नंबर): Details not provided Mobile Number (मोबाईल नंबर): +91-[REDACTED]

Email-ID (ईमेल-आईडी): [REDACTED]

Status (स्थिति)(Rural/Urban): Details not provided Education Status: Graduate

Is Requester Below Poverty Line? (क्या आवेदक गरीबी रेखा से नीचे का है?): No Citizenship Status (नागरिकता): Indian

Amount Paid (राशि का भुगतान): 10 (original recipient) Mode of Payment (भुगतान का प्रकार): Payment Gateway

Request Pertains to (अनुरोध निम्नलिखित संबंधित है): Vishwajeet Saharan GST LDH

Information Sought (जानकारी मांगी):

1 NUMBER OF GST REFUND PENDING MORE THAN THREE MONTH IN LUDHIANA
 2 NUMBER OF GST REFUND APPROVED ON OR BEFORE 31 JULY 2019 IN WHICH GST PMT 03 NOT ISSUED IN LUDHIANA
 3 WHAT IS THE CRITERIA OR PARAMETER FOR GIVING INTEREST IN LATE GST REFUND
 4 INTEREST IS GIVEN TO GST DEALER IN LATE GST REFUND IS AUTOMATICALLY OR ANY TYPE OF APPLICATION IS REQUIRED

Print Save Close

*JWS P (RTI)
 In m/o P1.
 [Signature]
 13.09.2016*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/38489/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फेक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

13/09/2019

सेवा में

The Assistant/Deputy Commissioner cum CPIO,
GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5. Ferozepur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar 13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Patiala-II 18. Derabassi-I 19. Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/मोहदया,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri Nitesh Jha -reg.

Please find enclosed herewith a copy of RTI application dated 07.09.2019 fled by Sh. Nitesh Jha, ST No. 2, Shankar Colony, Bhamian Khurd, Ludhiana-141015 on the subject cited above.

The mater regarding information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

VISHWA JEET SAHARAN
सहायक आयुक्त सह
केन्द्रीय जन सूचना
अधिकारी

Copy to: [REDACTED] for
information please.

VISHWA JEET SAHARAN
सहायक आयुक्त सह

केन्द्रीय जन सूचना अधिकारी



102348/2019/76cc Chief Commissioner Chandigarh

RTI REQUEST DETAILS

Registration No. :	DGCEI/R/2019/80038	Date of Receipt :	02/09/2019
Transferred From :	Central Board of Excise and Customs - Central Excise on 02/09/2019 With Reference Number : CBECE/R/2019/80931/2		
Remarks :	Request transferred with respect to point (vi) of the RTI application under section 6(3) of the RTI Act, 2005. (vi)Steps taken i/r/o willful defaulters for filing GST return as on Jul 19,		
Type of Receipt :	Electronically Transferred from Other Public Authority	Language of Request :	English
Name :	[REDACTED]	Gender :	Male
Address :	[REDACTED]		
State :	Haryana	Country :	India
Phone No. :	+91-8135987441	Mobile No. :	+91-8135987452
Email :	[REDACTED]		
Status(Rural/Urban) :	Rural	Education Status :	Above Graduate
Letter No. :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? :	No	Citizenship Status :	Indian
Amount Paid :	0 (RTI fee is received by Chief Commissioner of Service Tax (Delhi Zone) (original recipient)	Mode of Payment :	Payment Gateway
Request Pertains to :			
Information Sought :	Request transferred with respect to point (vi) of the RTI application under section 6(3) of the RTI Act, 2005. (vi)Steps taken i/r/o willful defaulters for filing GST return as on Jul 19,		
Original RTI Text :	i)CGST & SGST % if any on households while on transportation i/r/o defence personnel goods personal households ii)Total GST collection from Nangal choudhary,haryana(123023) area with bifurcation. iii) List of all india willful defaulters i/r/o loan from banks and their present position as on today iv)List of of exempted items under GST act as on date v) Contribution % of GST in Indian economy till date vi)Steps taken i/r/o willful defaulters for filing GST return as on Jul 19		
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>			

[REDACTED]

[REDACTED]

[REDACTED]

I/39863/2019

कार्यालय प्रधान आयुक्त
 OFFICE OF THE PRINCIPAL COMMISSIONER
 माल और सेवाकर आयुक्तालय लुधियाना
 GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
 जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
 दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

19/09/2019

सेवा में

The Assistant/Deputy Commissioner cum CPIO,
 GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5. Ferozepur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar 13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Patiala-II 18. Derabassi-I 19. Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/मोहदया,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Sh. Hawa Singh Yadav -reg.

Please find enclosed herewith a copy of RTI application dated 02.09.2019 fled by Sh. Hawa Singh Yadav, Vill-Shahbajpur, Po & Teh.-Nangal Choudhary, Nangal Choudhary-123023, Haryana, on the subject cited above, received from CC office, Chandigarh on 16.09.2019.

The mater regarding information sought by the applicant is closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

VISHWA JEET SAHARAN
 सहायक आयुक्त सह
 केन्द्रीय जन सूचना
 अधिकारी

Copy to:

123023, Haryana for information please.

VISHWA JEET SAHARAN
 सहायक आयुक्त सह

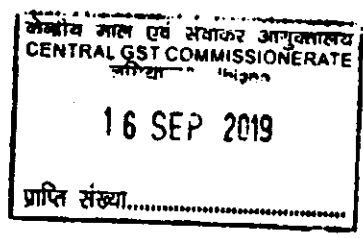


I/39863/2019

केन्द्रीय जन सूचना अधिकारी

APPLICATION FOR INFORMATION UNDER SECTION 6(1) READ WITH SECTION 4(1)(d) OF THE RIGHT TO INFORMATION ACT, 2005

To,
Sh. R.K. Sreen,-
Assistant Commissioner & CPIO,
Central Excise & Service Tax Commissionerate,
Central Excise House, F-Block, Rishi Nagar, Ludhiana.



- 1. Full name of the applicant: [REDACTED]
- 2. Father's/Spouse's name: [REDACTED]
- 3. Permanent Address: [REDACTED]
[REDACTED]
Ph.: [REDACTED]
- 4. Correspondence Address: C/o [REDACTED]
[REDACTED]
[REDACTED]
Ph.: [REDACTED]
[REDACTED]

- 5. Particulars of information solicited: -
 - (a) Subject-matter of information: File notings relevant to decision for filing/non-filing of Appeal in the Supreme Court against the Order No. 8-11/2018 dated 30.01.2018 passed in the case of [REDACTED] **Ors Vs. CCE, Chandigarh, Allahabad** by the Larger Bench of the Hon'ble CESTAT, you are requested to provide the following information and documents:-
 - 1) Copy of all the file notings relevant to decision for filing/non-filing of Appeal in the Supreme Court against the Order No. 8-11/2018 dated 30.01.2018 passed in the case of [REDACTED] **Vs. CCE, Chandigarh, Allahabad** by the Larger Bench of the Hon'ble CESTAT;
 - (b) The period to which the information relates:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

103284/2019/ADMN-GST-LDH

Since 30.01.2018 to 12.09.2019.

(c) Specific details of information required:

Please provide the above information serialim **in English**:

(d) Whether information is required by post or in person (The actual postal charges shall be included in providing information):

By Post. Please intimate the postal charges to enable payment by the applicant. We remit Rs. 50/- for the time being.

(e) In case by post, then indicate whether by ordinary, registered or speed:

Speed Post

6. Is this information not made available by the Public Authority under voluntary disclosure?

The Applicant has no knowledge if the information is available under voluntary disclosure. Moreover, even where the information has been voluntarily disclosed by a public authority, it is obligatory for the public authority to provide the information when sought for under section 6(1) or 4(1)(d). The information cannot be denied merely because it has been voluntarily disclosed by the public authority.

7. Do you agree to pay the required fee?

The Applicant is willing to pay the requisite additional fee for this information, if it is reasonable and is in accordance with the prescribed rules subject, however, to the provisions of section 7(6) of the RTI Act, 2005.

8. Have you deposited application fee? (If yes details of such deposit):

The prescribed Application Fee of Rs.10.00 and Rs.40/- towards postal Expenses totaling Rs.50/- is enclosed as per details hereunder:

Indian Postal Order 94G 210858
No.

Payable at As desired by the CPIO

Favouring Please fill in the name in which your office


103284/2019/ADMN-GST-LDH

maintains relevant bank account as public authorities often maintain bank accounts in different names.

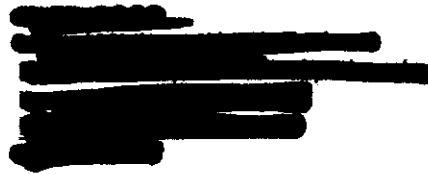
9. Whether belongs to Below Poverty Line category? If yes, have you furnished the proof of the same with the application?

No, the applicant does not belong to "Below Poverty Line" category.

Place: Dhuri
Date : 12.09.2019


Full Signatures of the Applicant

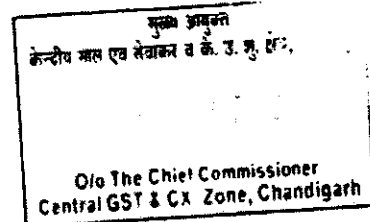
107818/2019/Tech

SPEED POST/COURIER

16.09.2019

To

The Central Public Information Officer,
O/o The Chief Commissioner (CZ),
Central Goods & Services Tax,
Central Revenue Building,
Plot No.19, Sector-17/C,
Chandigarh - 160017



Sir,

Subject: Application under the Right to Information Act, 2005 (22 of 2005).

I, [REDACTED] S/o [REDACTED] residing at the above mentioned address and a retired (on superannuation) Assistant Commissioner (IRS) from the office of the Commissioner (Appeals), CGST, Ludhiana, is a permanent resident of India.

2. I am enclosing herewith a Indian Postal Order bearing No.241230 dated 05.09.2019 for Rs.50/- (which includes the cost of photo copies) drawn in favour of Chief Commissioner (CZ), CGST, Chandigarh and payable at Chandigarh. I am seeking the following information and copies of documents under the Right to information Act, 2005:

(i) Is it true that 3rd MACP granted earlier to some of the Superintendents of Central Excise as well as Assistant Commissioners promoted from Superintendents of Central Excise under your Zone was withdrawn (while in service, within one year of the retirement and after retirement). If so, name of all such officers may be intimated in the following format. Copies of orders issued in this regard may also be supplied.

S.No.	Name of the officer	Designation	While in service	Within one year of the retirement	After retirement
1	2	3	4	5	6

(ii) On the issue of withdrawal of 3rd MACP of the officers mentioned (i) above and who are in service, intimate whether amount of excess salary paid on account of withdrawal of 3rd MACP was recovered from their salary. If so, details of recovery be intimated in the following proforma:

S.No.	Name of the officer	Designation	Period of recovery	Amount of excess salary paid (In Rs.)	Particulars of recovery
1	2	3	4	5	6

(iii) On the issue of withdrawal of 3rd MACP of the officers mentioned (i) above and who are in service, if amount of excess salary paid on account of withdrawal of 3rd MACP was not recovered, whether their cases of excess payment was referred to Department of Expenditure, Ministry of Finance, New Delhi for waiver in terms of DoPT Office Memorandum F.No.18/03/2015-Estt. (Pay-I) dated 02.03.2016. If so, whether their financial status was postulated while referring the issue to Department of Expenditure, Ministry of Finance, New Delhi for waiver of recovery of excess salary paid on account of withdrawal of 3rd MACP. Copies of letters written to Department of Expenditure, Ministry of Finance, New Delhi may kindly be supplied.

(iv) On the issue of withdrawal of 3rd MACP of the officers mentioned (i) above and who were within one year of retirement on superannuation, intimate whether amount of excess salary paid on account of withdrawal of 3rd MACP was recovered from their salary. If so, details of recovery be intimated in the following proforma:

[REDACTED]

[REDACTED]

S.No.	Name of the officer	Designation	Period of recovery	Amount of excess salary paid (In Rs.)	Particulars of recovery
1	2	3	4	5	6

(v) On the issue of withdrawal of 3rd MACP of the officers mentioned (i) above and who were within one year of retirement, if amount of excess salary was not recovered, whether their cases of excess payment of salary on account of withdrawal of 3rd MACP was referred to Department of Expenditure, Ministry of Finance, New Delhi for waiver in terms of DoPT Office Memorandum F.No.18/03/2015-Estt. (Pay-I) dated 02.03.2016. If so, whether their financial status was postulated while referring the issue to Department of Expenditure, Ministry of Finance, New Delhi for waiver of recovery of excess salary paid on account of withdrawal of 3rd MACP. Copies of letters written to Department of Expenditure, Ministry of Finance, New Delhi may kindly be supplied.

(vi) On the issue of withdrawal of 3rd MACP of the officers mentioned (i) above and who were within one year of retirement, if amount of excess salary was not recovered, whether their gratuity was withheld equivalent to the amount of excess salary paid. If so, names of such officers along with their designation may be intimated. Also intimate whether their cases of excess payment of salary on account of withdrawal of 3rd MACP was also referred to Department of Expenditure, Ministry of Finance, New Delhi for waiver in terms of DoPT Office Memorandum F.No.18/03/2015-Estt. (Pay-I) dated 02.03.2016. If so, whether their financial status was postulated while referring the issue to Department of Expenditure, Ministry of Finance, New Delhi for waiver of recovery of excess salary paid on account of withdrawal of 3rd MACP. Copies of letters written to Department of Expenditure, Ministry of Finance, New Delhi may kindly be supplied.

(vii) Is it true that in some cases the gratuity withheld earlier, was ordered to be released while by *an* passing the speaking order(s). If yes copy(ies) of such speaking order(s) be supplied. Also intimate that while making the order of release of earlier withheld gratuity, whether financial status of the such officers was postulated.

(viii) In respect of (vii) above, whether some undertaking or surity/security or both was taken while passing the order of release of earlier withheld gratuity.

(ix) Whether in respect of (vii) above, whether the payment of withheld gratuity had been made to the retired officer. If not, reasons for not making such payment be intimated.

(x) Whether any review of the speaking order(s) passed in respect of (vii) was contemplated. If yes, further action taken in this regard may be intimated. *Also intimate whether the speaking order(s) was (were) agitated by the Commissioner in the zone. If yes, on what grounds.*

(xi) If no review of the speaking order(s) passed in respect of (vii), whether these order(s) has (have) attained finally and as a result such order(s) has (have) become precedent to deal similar and identical cases in future.

(xii) Details of all types of leave of Mrs. Charul Baranwal, Commissioner (Appeals), Ludhiana i.e. Casual Leave, Earned Leave, Medical Leave and Half Pay Leave from 01.09.2018 to 05.09.2019 (period wise number of leaves) as per service records in the following format:

S.No.	Kind of Leave	Period of Leave	No. of days

Encls: As above
13.09.2019

Yours faithfully,

[Signature]
16/09/2019

I/41334/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

26/09/2019

सेवा में

The Assistant/Deputy Commissioner cum CPIO,
GST Sub Commissionerate-Mohali,

The Assistant/Deputy Commissioner cum CPIO,
GST Divisions-1. Ludhiana-Central 2. Ludhiana-East 3. Ludhiana-North 4. Ludhiana-South 5.
Ferozpur 6. Moga 7. Barnala 8. Sangrur 9. Bathinda-I 10. Bathinda-II 11. Khanna 12. Muktsar
13. Mandi Gobindgarh 14. Mohali-I 15. Mohali-II 16. Patiala-I 17. Patiala-II 18. Derabassi-I 19.
Derabassi-II 20. Rajpura 21. Ropar under GST Commissionerate-Ludhiana.

महोदय/मोहदया,

विषय: Supply of information under RTI Act, 2005 in respect of application submitted by Shri
[REDACTED] eg.

Please find enclosed herewith a copy of RTI application dated 16.09.2019 filed by Sh. Kapil Sood, H.No.193, Aggar Nagar Enclave, Barewal Road, Near Sun Apartments, Ludhiana-141012(Punjab), on the subject cited above, received in CPIO office on 24.09.2019 through CCU, Chandigarh.

The information sought by the applicant under Point Nos. 1 to 4 and 7 to 11 are closely connected with the working of your office. Accordingly, subject RTI application is being transferred to your office under Section 6(3) of the RTI Act, 2005. You are requested to provide the requested information directly to the applicant.

भवदीय

संलग्न: उपरोक्त

VISHWA JEET
SAHARAN

सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकारी

Copy to: Sh. Kapil Sood, H.No.193, Aggar Nagar Enclave, Barewal Road, Near Sun Apartments, Ludhiana-141012(Punjab) for information please.

VISHWA JEET SAHARAN

I/41334/2019

सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकारी

I/46650/2019

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

माल और सेवाकर आयुक्तालय लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in

22/10/2019

सेवा में

Sh. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

महोदय,

विषय :- Supply of information under RTI Act, 2005 in respect of application submitted by Sh. [REDACTED] -reg.

Please refer your RTI application dated 13.09.2019, on the subject cited above received on 24.09.2019 through CPIO, Goods & Service Tax Zone, Chandigarh for providing information in r/o Point No. (i) to (iv) & (vii) to (xi) of your RTI application.

In this regard, para-wise information as received from concerned Branch is as under:

(i) Yes, Copy of the Order enclosed.

S.No.	Name	Designation	While in Service	Within one year of retirement	After retirement
1	[REDACTED]	AC	NA	NA	Yes
2	[REDACTED]	AC	NA	NA	Yes

(ii) to (iv) Not applicable.

(vii) Yes, Copy of Speaking Order issued vide C.No.II-26(2)ET-I/2018/909-940 dated 17.08.2018 is enclosed. No order of release of withheld gratuity made, so the sub-point is not applicable.

(viii) As no order of release of withheld gratuity was issued, the point is not applicable.

(ix) No order of release of withheld gratuity was issued. Further, as per Section 2 (f) of the RTI Act, 2005 :-

"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

[REDACTED]

[REDACTED]

[REDACTED]

I/46650/2019

force.”

Therefore, the information sought by you does not fall under the definition of 'information' as per Section 2 (f) of the RTI Act, 2005. Hence, the same cannot be provided under the RTI Act, 2005

(x) The speaking order dated 17.08.2018 issued by Commissioner, GST Commissionerate, Chandigarh, stated that within 15 days of the order being issued, the amount of withheld gratuity has to be paid to affected officers. Whereas Department of Personnel and Training Department, OM dated 02.03.2016 issued vide F. No. 18/03/2015-Estt (Pay-I) clearly states that whenever the amount withheld is to be waived, it should be done with the express approval of Department of Expenditure.

“.....However, wherever the waiver of recovery in the above-mentioned situations is considered, the same may be allowed with the express approval of Department of Expenditure in terms of this Department's OM No. 18/26/2011- Estt. (pay-I) dated 6th February, 2014.”

Accordingly, Cadre Controlling Authority, Chandigarh was requested to provide copy of approval obtained from Department of Expenditure so that withheld amount of gratuity could be release.

(xi) The matter regarding finality of the Speaking Order pertains to Cadre Controlling Authority.

In case you are not satisfied with this reply, you may prefer an appeal with the 1st Appellate Authority within 30 days of receipt of this order. The name and complete address of the 1st Appellate Authority is as under:

Sh. Rajan Lachala, IRS, Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tele: 0161-2300777, Fax: 0161-2304881.

भवदीय,

संलग्न: उपरोक्त (27 pages).

VISHWA JEET SAHARAN
सहायक आयुक्त सह
केन्द्रीय जन सूचना अधिकार

Reward payment in the clubbed cases of Yash pal Hosiery & Beas Scientific Dyers.

From : [Redacted] 9:15 @gmail.com Sun, Sep 29, 2019 02:00 PM
Subject : Reward payment in the clubbed cases of [Redacted]
To : tech-gstldh@gov.in
Cc : cexldh@nic.in

THE, GST Commissionerate, Ludhiana.

b Sir,

We confirm having received you letter File No. RTIOAPP/151/2019-HQ-GST-LDH dtd. 12-06-2019. In this regards, we want the following information under the RTI ACT on tha above subject.

1. AMOUNT for which the Reward proposal is made.
2. If still not, what steps, the Department had taken in this regard.
3. Present status of the Reward.

banking. Thanks.

The fee of Rs. 10/- is made by e- Yours faithfully,

[Redacted Signature]
 [Redacted] 141008. M: [Redacted]
 principle Commissioner, GST, Ludhiana. receipt no for rti application is DGSTX/R/2019/50318.

copy to The

[REDACTED]

[REDACTED]

10/4/2019
112960/2019/Tech

RTI REQUEST DETAILS			
Registration No. :	GSTCH/R/2019/50099/4	Date of Receipt :	29/09/2019
Type of Receipt :	Online Receipt	Language of Request :	English
Name :	[REDACTED]	Gender :	Male
Address :	[REDACTED] 60071		
State :	Punjab	Country :	India
Phone No. :	Details not provided	Mobile No. :	+91 [REDACTED]
Email :	[REDACTED]		
Status(Rural/Urban) :	Urban	Education Status :	
Is Requester Below Poverty Line ? :	No	Citizenship Status	Indian
Amount Paid :	0 (Received by Office of the Chief Commissioner of GST, Chandigarh Zone)	Mode of Payment	Payment Gateway
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	Vishwajeet Saharan GST LDH
[REDACTED]	Please supply the following information : 1- The total number of show cause notices issued to the Local Cable Operators for recovery of service tax between 01.04.2014 to 31.08.2019 and what was the amount of service tax involved in those show cause notices. 2- The total number of amended show cause notices issued to local cable opretors between 01.4.2018 to 31.08.2019 and what was the amount of service tax involved in amended show cause notices.		
Original RTI Text :	Please supply the following information : 1- The total number of show cause notices issued to the Local Cable Operators for recovery of service tax between 01.04.2014 to 31.08.2019 and what was the amount of service tax involved in those show cause notices. 2- The total number of amended show cause notices issued to local cable opretors between 01.4.2018 to 31.08.2019 and what was the amount of service tax involved in amended show cause notices.		

SECRET

SECRET

SECRET

SECRET

65142/2019/ADMN-GST-APL-LDH

To

The Appellate Authority
Goods and service tax commissioner
Ludhiana.

From

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: information under RTI ACT, 2005.

Respected sir/madam,

That I Ashutosh s/o shri. [REDACTED] filed an rti application dated 3/05/2019 to your department. A copy of the RTI application made is annexed herein as annexure 1.

That I have received information from your department that my file is transferred to the concerned department on 14/05/2019. A copy of which is annexed herein as annexure 2.

The reply of the RTI application made is annexed herein as annexure 3.

That I have not received a satisfactory reply from the concerned officer as I was neither provided the partnership deed (requested in point number 1) nor the dissolution deed/retirement deed related to my father (requested in point number 3). Also, I was not provided any information that my father was introduced as a partner in this firm or not. (Asked in the point number 4). My father's relationship with the firm is already explained in the RTI application made.

I have requested the concerned officer orally to atleast provide me the names of the partners introduced while providing the service tax number. Moreover, the firm's service tax number was provided after the introduction of RTI act 2005.

That the information provided replicates that the department is having no knowledge to the constitution of the firm. That if department is having any knowledge of the bank accounts of the firm at the time when the service tax number was provided then they may transfer the application(or ask information) even to those bank to provide the requested information as is specified in the section 6(3) of the RTI ACT,2005.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

65142/2019/ADMN-GST-APL-LDH

That the RTI application made is for the reason that it seems to applicant that his father is illegally or unconstitutionally ousted from the firm by not involving him as a partner by changing the partners of the firm without any dissolution/retirement deed as such the business of the firm exceeds 100 crores of rupees.

Moreover, I would like to inform the department that a fresh partnership deed was provided to the department in the year 2015 when a partner [REDACTED] died in the same year (introduced as a partner in the firm while applying service tax number). That Mr. [REDACTED] as the husband of [REDACTED] (a continuing partner of the firm). As such the partnership deed of 2015 is uploaded in GST platform.

That I shall be very much obliged to receive the requested information from the department. Hence, I request to please provide me the name of the partners introduced while applying the service tax number if somehow the partnership deed is not available with the department and information regarding whether Ashwani kumar related any dissolution/retirement deed was provided to the department or not.

That the initial request fee of rs 10/- is paid through the Indian postal order number 442 155717 attached with this application. I agree to pay any extra cost, if any, inform me where to pay whom to pay and how to pay the extra cost. Also, I request to please provide the information through email at ashu.tosh4@hotmail.com

Thanking you,

[REDACTED]
[REDACTED] 6/14/2019
[REDACTED]
[REDACTED]

Encl: the above mentioned documents

Copy to: 1) GST HEADQUATERS.

2) CENTRAL VIGILANCE COMMISSION.

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/27080/2019

	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवा कर आयुक्तालय - लुधियाना CENTRAL GOODS AND SERVICES TAX COMMISSIONERATE-LUDHIANA जीएसटी भवन , फ ब्लॉक, ऋषि नगर लुधियाना-141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA-141001 दूरभाष/Phone No. 0161-2679423, फैक्स/Fax No.-0161-2304881 ई-मेल/E-mail: gst.ludhiana@gov.in</p>	
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दिनांक: 15/07/2019

Order-in-Appeal No. : 03/RTI/GST/Ldh/2019

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order)

Brief Facts:

Sh. [REDACTED] S/o Sh. [REDACTED]

[REDACTED] (hereinafter referred to as the "appellant"), vide his RTI application dated 03.05.2019, received in the office of Central Public Information Officer-GST Commissionerate-Ludhiana on 08.05.2019 seeking information under RTI Act, 2005 (hereinafter referred to as the "Act"). The RTI application was pertaining to GST Division Ludhiana-South, hence the same was transferred to the CPIO, GST Division Ludhiana South (hereinafter referred to as the "CPIO") under Section 6(3) of the Act. The RTI application was disposed of by the CPIO, vide File No. RTI/10/2019-DIV-GST-SOU/ 67163/2019.

2. The following information sought by the appellant in his RTI application dated 03.05.2019:

- (i) A certified copy of partnership deed provided to the department for applying the service tax number.
- (ii) A certified copy of the service tax number/registration certificate provided to the firm M/s [REDACTED].
- (iii) Any dissolution/retirement deed justifying Sh. [REDACTED] retiring from the same firm provided to this department.
- (iv) That if somehow, Sh. [REDACTED] does not relate to this firm in any manner/way then the information must be provided explaining as such.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I/27080/2019

3. That the CPIO had replied to the RTI application File No. RTI/10/2019-DIV-GST-SOU/ 67163/2019. In r/o Point No. 2 of the RTI, the information supplied to the appellant by the CPIO and in r/o Point No. 1, 3 & 4 of the RTI, the information could not be supplied as the same was not in the possession of the CPIO.

4. **Grounds of Appeal:**

4.1: Being aggrieved, the Appellant filed an appeal dated 14.06.2019 (received in this office on 20.06.2019) on the grounds that the complete information has not been provided.

4.2: The appellant has requested to provide the names of the partners introduced while applying the Service Tax number if somehow the partnership deed is not available with the Department and information regarding whether Sh. [REDACTED] related any dissolution/retirement deed was provided to the department or not.

5. **Reply to the Notice by CPIO:**

5.1: A notice vide File No.TECH-RTI0APL/18/2019-HQ-GST-LDH dated 01.07.2019 was issued to the CPIO to provide comments on the RTI appeal filed by the Appellant.

5.2: The CPIO offered the comments and reiterated the submissions made in the reply to RTI application that the available information has already been provided to the appellant and the other information is not available in office records.

6. **Discussion and Findings:**

6.1: I have carefully examined the appeal filed by the Appellant, CPIO's reply to notice and relevant provisions of the Act.

6.2: I find that the appellant is aggrieved as he has not received information in full i.e. he was neither provided the partnership deed (as requested in point number 1) nor the dissolution deed/retirement deed related to his father (as requested in point number 3) also, he was not provided any information that his father was introduced as a partner in this firm or not (Asked in the point number 4). In other words, the appellant has filed the present appeal for not providing the information in respect of point no. 1,3 & 4 as sought in his RTI application dated 03.05.2019.

I/27080/2019

6.3: I further observe that the information as requested by the appellant has already been supplied to the appellant in respect of point no. 2 as in possession of the CPIO. The reason for not providing information by the concerned CPIO has been given as non-availability of the same in office records.

6.4: I find that the information as in possession of the CPIO has been provided by him as also acknowledged by the appellant in his appeal. This is an established corollary of the RTI Act that the CPIO is bound to provide the information as is available with him and the information cannot be created by him. Thus, in my opinion, the CPIO has fulfilled his duty to that extent. On the other hand, the spirit of the Act is to furnish information for the purpose of transparency.

6.5: Before deciding on the issue, it will be in the fitness of things to revisit Section 2(f) of the Act which exclusively defines information. The same is reproduced below:

Section 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:

Thus, from the above it is vivid that the information in possession of the public authority in any form as stipulated above is bound to be provided to the information seeker, of course under certain exceptions which are separately deliberated upon under Section 8 of the Act. It also inter-alia means that the information, only in possession of the public authority needs to be supplied to the appellant and in no case can be created for the appellant.

Therefore, I do not find any reason do intervene into the decision of the CPIO keeping in view of the facts that the desired information is not available with him.

6.6: I also observe that the appellant has added some more submissions at the time of filing RTI appeal which cannot be taken into consideration at this stage.

I/27080/2019

In view of the above, I pass the following order:

7. **Order:**

The appeal filed by the appellant is rejected accordingly.

(Rajan Lachala, IRS)
1st Appellate Authority (RTI)
CGST Commissionerate, Ludhiana

Speed Post/copy to:-

- i. Sh. [REDACTED]
- ii. The CPIO, GST Division, Ludhiana- South for information and necessary action.

1st Appellate Authority (RTI)
CGST Commissionerate, Ludhiana

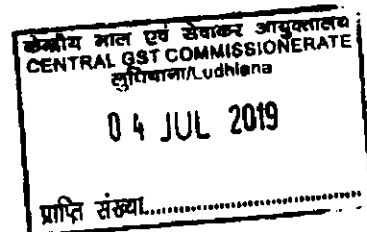
[REDACTED]

Speed Post

RTI Matter

To

Sh. Rajan Lachala IRS
Jt. Commissioner (1st Appellate Authority)
GST Commissionerate
Rishi Nagar
Ludhiana



Sub.: 1st Appeal against the orders of CPIO Ludhiana filed by [REDACTED]

Respected Sir,

I am not satisfied with the reply of CPIO Ludhiana received under his letter C. No. Tech-RT 10APP/150/2019 - Hq-GST dated 12.06.2019. Hence the 1st appeal in the matter under the RTI Act 2005.

2. At the outset, it is pointed out that 2 grievances were filed by me online and these were registered as CBOEC/E/2018 3864 dt. 24.10.2018 and CBOEC/E/2018/4000 dated 06.11.2018. The Cadre Controlling Authority under his letter C.No. II-39(30) Et I/2018/1699 dt. ^{26.11.18} ~~05.12.2018~~ (Annexure I) directed me to appear for personal hearing on 03.12.2018 at 10:30 hrs at Chandigarh. Accordingly I appeared, as per telephonic talk of AO Chd, on the said date and time before Commissioner Chandigarh, but the concerned Commissioner refused to hear me and directed verbally to approach the Jurisdictional Commissioner GST Ludhiana, wherefrom I had retired on Superannuation.

3. Accordingly, I appeared before concerned DC GST Commissionerate Ludhiana on 06.12.2018 who called concerned AO and Dealing Assistant. I put forth all my submissions in detail before them on the above CP grams.

[REDACTED]

[REDACTED]

-2-

4. It is extremely painful that the department has informed that CP grams in question were not received from Chandigarh Office. Neither the officers of Ludhiana tried to procure CP gram nor these CP grams were transferred as per the provisions of section 6(3) of RTI Act 2005. **This shows Scant regard for RTI matters.**

5. Reply furnished by the department on the basis of earlier facts are not acceptable as **new facts were intentionally ignored to reject my grievance on flimsy grounds.**

6. Now, the appellate authority is requested to please direct the concerned CPIO Ludhiana to procure CP grams in question, examine them afresh on merit, within the framework of law and pass speaking orders on merit and do not force me to litigation when the step up is permissible under law.

7. No enclosures were received with the said CPIO letter, which may now be sent.

Yours sincerely,



Encl: As above

(1) letter 1788 dt 5/12/18
 (2) letter 1694 dt 26/11/18

E-mail: [REDACTED]

[REDACTED]

I/30367/2019

	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवा कर आयुक्तालय - लुधियाना CENTRAL GOODS AND SERVICES TAX COMMISSIONERATE-LUDHIANA जीएसटी भवन , फ ब्लॉक, ऋषि नगर लुधियाना-141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA-141001 दूरभाष/Phone No. 0161-2679423, फैक्स/Fax No.-0161-2304881 ई-मेल/E-mail: gst.ludhiana@gov.in</p>	
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Date: 29/07/2019

Order-in-Appeal No.: 04/RTI/GST/Ldh/19

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order)

Brief Facts:

[REDACTED] (hereinafter referred to as the "appellant"), vide his RTI application dated 17.05.2019, addressed to the Central Public Information Officer, Goods & Service Tax Commissionerate, Ludhiana (hereinafter referred to as the "CPIO"), received in their office on 22.05.2019, under the Right to Information Act, 2005 (hereinafter referred to as the "Act"), had desired certain information.

2. Grounds of Appeal:

That the CPIO vide letter File No.TECH-RTI0APP/150/2019-HQ-GST-LDH dated 12.06.2019 had given reply to RTI. The Appellant, being not satisfied, has filed an appeal dated 01.07.2019 (received on 04.07.2019).

3. Reply to the Notice by CPIO:

A notice vide File No. TECH-RTI0APL/21/2019-HQ-GST-LDH/I/25421/2019 dated 04.07.2019 was issued to the CPIO, GST Commissionerate, Ludhiana to provide comments on the appeal filed by the Appellant. The CPIO vide letter File No. TECH-RTI0APP/150/2019-HQ-GST-LDH has replied to the notice as under:-

- i. that CPGRAM's is a mechanism being dealt by the vigilance branch/section to resolve the grievances of various stakeholders. The CPIO is not empowered under any provision of the RTI Act to call & decide CPGRAMs but is only bound to supply the information available pertaining to CPGRAM's if any.
- ii. that the reply of RTI was given to the applicant vide letter File No.



I/30367/2019

TECHRTI0APP/150/2019-HQ-GST-LDH/I/22013/2019 dated 12.06.2019 wherein it was interalia mentioned that no such CPGRAM's were received by the concerned Section i.e. Vigilance Branch of CGST Commissionerate-Ludhiana. However, a letter bearing C.No. 44/Zone 14/Confdl/2017/10697 dated 07.12.2018 was received from CCU-Chd inter-alia containing a reference from the CPGRAMs, and in extant letter it has been categorically mentioned that the said CPGRAMs have been disposed of.

iii.that, the pay and cash branch of this Commissionerate, in response to CCU letter bearing C. No. 44/Zone 14/Confdl/2017/10697 dated 07.12.2018, has already sent the requisite information related to the CPGRAMs to the appellant vide letter bearing File No. P -CPFXN00TH/2/2019-HQ-GSTLDH/58031(1)/2019/ADMN-GST-LDH dated 29.05.2019.

4. Discussion and Findings:

I have gone through the RTI appeal of the appellant as well as the reply of the concerned CPIO. I find that the appellant is aggrieved as he has not been provided an opportunity to explain his case before Commissioner, Chandigarh who instead directed him to approach the jurisdictional Commissioner GST Ludhiana where from he had retired on superannuation. Though he put forward his submission in detail before the concerned AO and dealing Assistant of CGST Commissionerate, Ludhiana but to no avail.

(i) The main grievance of the appellant is that the officers of Ludhiana did not try to procure CPGRAM nor these CPGRAM were transferred as per the provision of Section 6(3) of RTI Act, 2005. He also mentioned that new facts were intentionally ignored to reject his grievance on flimsy ground.

(ii) He has requested to direct the concerned CPIO Ludhiana to procure CPGRAM in question, examine them afresh on merit, within the frame work of law and pass speaking order on merit.

(iii) He has also requested to send him enclosures of the CPIO letter as he has not received it with the CPIO letter.

Now summarizing the submissions of the appellant, I understand that he is aggrieved:

- a. the CPGRAMs were neither procured by the officers of Ludhiana nor these were transferred as per the provision of Section 6(3) of RTI Act,
- b. that the new facts were intentionally ignored to reject his grievance on flimsy ground.

First coming to the question of procuring CPGRAMs. I find that the CPIO is under no obligation under any provision of the RTI Act to procure such CPGRAMs. Rather the CPIO is duty bound to supply the information which is readily available with him and not to procure it from any other source. Since, as intimated by the CPIO, no such CPGRAMs were received,

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therefore the question of transferring the same as per the provision of Section 6(3) of RTI Act, 2005 is irrelevant.

The contention of the appellant that new facts were intentionally ignored to reject his grievance also does not hold water as he has neither elaborated the same nor given any specific ground.

As mentioned above, CPIO is not duty bound to procure the information or any document related to the information, therefore I am inclined to disagree with the appellant's request to direct the CPIO to procure it from any other source.

However, I direct the CPIO to send the enclosures of his reply in question to the appellant within seven days. With these remarks, I dispose of the appeal.

5.

Order:

In view of the above, I reject the appeal of the appellant.

(Rajan Lachala, IRS)
First Appellate Authority (RTI)
GST Commissionerate, Ludhiana

Speed Post/copy to:-

- i. 
- ii. The CPIO(RTI), GST Commissionerate, Ludhiana.

Rajan Lachala, IRS)
First Appellate Authority (RTI)
GST Commissionerate, Ludhiana



84350/2019/Tech

RTI APPEAL DETAILS (आरटीआई अपील विवरण)			
Appeal Registration Number (अपील पंजीकरण संख्या) :	GSTCH/A/2019/60008	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	01/07/2019
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	GSTCH/R/2019/50040	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	17/05/2019
Name (नाम) :	[REDACTED]	Gender (लिंग) :	Male
Address (पता) :	[REDACTED]		
Pin code (पिन कोड) :	141401		
State (राज्य) :	Punjab	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	+91-[REDACTED]
Email-ID (ईमेल-आईडी) :	[REDACTED]		
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) :	
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
CPIO Approached (संपर्क सीपीआईओ) :	38011	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided		
Ground for Appeal (अपील का आधार) :	Refused access to Information Requested		
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ) :	<p>I had filed an online application no GSTCH/R/2019/50040 to obtain copies of dispatch register of office of GST Divison Khanna Commissionerate Ludhiana. But the PIO cum Assistant commissioner has denied the information u/s 8(1)(j) of the RTI Act 2005.</p> <p>So keeping in view all the facts (Copy of Facts attached) Kindly provide the information at the earliest and I request to take penal action against CPIO for unnecessarily harassing</p>		
Print Save Close			

[REDACTED]

84351/2019/Tech

I had filed an online application no GSTCH/R/2019/50040 to obtain copies of dispatch register of office of GST Divison Khanna Commissionerate Ludhiana. But the PIO cum Assistant commissioner has denied the information u/s 8(1)(j) of the RTI Act 2005.

He has also mentioned the CIC order in case of S.K.LAL v/s Ministry of Railways. The CPIO has wrongly cited this decision. The decision in this case is

“The Commission noted that the Respondents in several cases had acted positively on the demands made by the Appellants. However, even a casual look at the long list of varied information asked for by the Appellant would make it clear that the information asked for is frivolous and even bordering on the absurd. In most of the cases, the Appellant has asked for ALL THE RECORDS regarding various services and categories of staff in the Railways which actually mean nothing and only amount to making a mockery of the Act. It must be remembered that though the Respondents are duty bound to supply information asked for by the Appellants, the Appellants are also required to keep in mind the objectives of the RTI Act as outlined in the Preamble to the Act: and that is, to introduce the elements of transparency and accountability in the functioning of the public authorities and to contain corruption. The Commission failed to appreciate how these objectives would be met with if the Appellant asked for such diverse and lengthy information which seemed to be designed only to put the public authorities under undue and uncalled for pressure. In this particular case, the Commission, in fact, appreciated the effort of the public authority to collect and provide as much information to the Applicant as possible and dismissed the case as frivolous and inconsequential.” The information demanded by me is neither voluminous nor diverse or lengthy. Moreover I have not demanded ALL THE RECORDS. I have demanded only relevant records.

The CPIO has interpreted sec8(1)(j) wrongly because as per sec8 (1)(j) of RTI Act “information which relates to personal information the disclosure of which has not relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information: Provided that the information, which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.”

The CPIO has wrongly denied the information because copies of dispatch register are neither personal information nor the copies of official dispatch register of Khanna GST Divison can cause unwarranted invasion of privacy of any individual. Moreover information contained in Dispatch register can be helpful in bringing out the irregularities, harassment, undue and deliberate delay in dispatch of letters etc, backdating being done by the office of Assistant Commissioner. It is in larger public interest that the copies of dispatch register be provided to unearth Corrupt practices of the Khanna GST Divison. Moreover under sec 8 (1)(j) the information which cannot be denied to parliament or a state legislature shall not be denied to any person. So denying information as per is totally wrong and unjustified

In the Appeal No. CIC/DS/A/2009/000153, P. D. Raphel vs EPFO, CIC ordered to provide the copies of dak register.

Also in Radha Raman Tripathy vs Central Board Of Direct Taxes -CIC/BS/C/2016/000123, CIC allowed the appeal and warned the CPIO "The CPIO is therefore, warned to be extremely careful and vigilant in handling RTI petitions in future, failing which the Commission would initiate penal action under Section 20(1) of the RTI Act, 2005.

The Commission also advises the Respondent Public Authority to convene periodic conferences/seminars to sensitize, familiarize and educate the concerned officials about the relevant provisions of the RTI Act, 2005 for effective discharge of its duties and responsibilities.

The FAA is also advised to be alert and cautious in the implementation of the RTI Act, 2005 and comply with the procedure exercising due diligence."

So keeping in view all these facts Kindly provide the information at the earliest and I request to take penal action against CPIO for unnecessarily harassing

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84352/2019/Tech

Comments submitted to FAA for Appeal Registration No. GSTCH/A/2019/60008 against RTI Registration No. GSTCH/R/2019/50040

The RTI applicant has requested for the copy of Dispatch Dak Register of CGST Khanna Division for the period 01-10-2018 to 31-11-2018 and 01-01-2019 to 31-03-2019.

CPIO Khanna denied the information under Section 8(1)(j) as the Dispatch Dak Register for the requested period contain dispatch details of over 850 letters. Some of these letters are of sensitive in nature, wherein the name and address of the Informer /CPGRAM complainant regarding tax evasion by a particular firm is mentioned, disclosing this could **endanger the life** of the CPGRAM complainant/Informer. (Denied under Section 8(1)(g))

Further, disclosure of letters of communication with taxpayers (third party) for cases under investigation would hamper the investigation (Denied under Section 8(1)h - information which would impede the process of **investigation** or apprehension or prosecution of offenders) and also infringe on the privacy of the individual tax payer (Denied under Section 8(1)(j)).



Further, as per CIC order in Shri Shanker Sharma and M/s. First Global Stock broking Pvt. Ltd. and others Vs. Director of Income Tax (Inv.)-II & CPIO, Deptt. of Income Tax, Mumbai (F. No. CIC/AT/A/2007/00007 dated 10.07.2007) Investigation into tax evasion can be said to be over or complete, only after the final adjudication about the tax liability had been made after the matter has gone through all the stages of appeals and revisions as well as a final decision about prosecuting or not prosecuting that person has been taken by an appropriate competent authority.

CPIO Khanna while denying the request for **ALL DISPATCH RECORD** for the duration of 5 months has conveyed that the dispatch detail for a specific letter can be provided on a specific request unless the same is restricted under any Section of the RTI Act, 2005.

Further, CPIO Khanna is of the opinion that dispatch details of non-sensitive communication can be provided except where the particulars of an individual tax payer/ Informer/Complainant such as Name, Address, PAN No, GSTIN No. (for cases under investigation, Third party data, DGARM Data) appears in the dispatch details. Hence, disclosure of **ALL DISPATCH RECORD** for the 5 months is denied with a **caveat** to seek specific information i.e Dispatch details for specific letters and not the Bulk Dispatch Record for 5 months.

Taking into Cognizance of the CIC Order in P.D.Raphel vs EPFO case as pointed out by the applicant, only **non-sensitive** Dispatch Dak Record for the requested period can be provided to the applicant, if directed by FAA.

I/30608/2019

	<p>कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER, मालऔर सेवा कर आयुक्तालय- लुधियाना CENTRAL GOODS AND SERVICES TAX COMMISSIONERATE-LUDHIANA जीएसटी भवन ,फ ब्लॉक, ऋषि नगर लुधियाना-141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA-141001 दूरभाष/Phone No. 0161-2679423, फैक्स/Fax No.-0161-2304881 ई-मेल/E-mail: gst.ludhiana@gov.in</p>	
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Date: 31.07.2019

Order-in-Appeal No.: 05/RTI/GST/Ldh/19

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order)

Brief Facts:

Sh. [REDACTED]
141401 (hereinafter referred to as the "appellant") vide his RTI application dated 17.05.2019, received in the Office of Central Public Information Officer, GST Division Khanna (hereinafter referred to as the "CPIO") on 21.05.2019, under Right to Information Act, 2005 (hereinafter referred to as the "Act") had desired certain information.

2. Grounds of Appeal:

2.1 That the CPIO vide his office letter C. No. IV(16)RTI/Divn KHN/Misc/16/2017-18 dated 20.06.2019 had provided reply to the RTI application as under:

- That the copies of documents (Dispatch Dak Register) sought by the appellant cannot be provided as the same contains sensitive, third party communication information and the details of cases, which are under investigation and disclosure of the same may impede the process of investigation and infringe on the privacy of other taxpayers. Therefore, information sought is denied under Section 8(1)(j) of the Act.
- That as per CIC Order in S. K. Lal Vs. Ministry of Railways, 2006 case, bulk third party data, not pertaining to applicant is denied under Section 8 of the Act. In view of the above the information sought by the appellant is hereby denied but details of specific letter can be provided on specific request unless the same is restricted under any Section of the Act.

2.2 The Appellant, being not satisfied, has filed an appeal dated 01.07.2019 on the following grounds:

- (i) The information demanded is neither voluminous nor diverse or lengthy and not demanded all records but relevant only.
- (ii) The information is denied wrongly because copies of dispatch register are neither personal information nor can cause unwarranted invasion of privacy of



I/30608/2019

any individual. Further, the information which cannot be denied to the Parliament shall not be denied to any person.

3. Comments of the CPIO:

3.1 The CPIO was asked to give comments on the RTI Appeal filed by the appellant. The CPIO has commented as under:

3.2 The appellant has requested for the copy of Dispatch Dak Register of CGST Khanna Division for the period 01-10-2018 to 31-11-2018 and 01-01-2019 to 31-03-2019.

3.3 The information was denied under Section 8(1)(j) as the Dispatch Dak Register for the requested period contain dispatch details of over 850 letters. Some of these letters are of sensitive in nature, wherein the name and address of the Informer /CPGRAM complainant regarding tax evasion by a particular firm is mentioned, disclosing this could endanger the Life of the CPGRAM complainant/Informer.

3.4 Further, disclosure of letters of communication with taxpayers (third party) for cases under investigation would hamper the investigation and information which would impede the process of investigation or apprehension or prosecution of offenders and also infringe on the privacy of the individual tax payer. As per CIC order in Shri Shanker Sharma and M/s. First Global Stock broking Pvt. Ltd. and others Vs. Director of Income Tax (Inv.)-II & CPIO, Deptt. of Income Tax, Mumbai (F. No. CIC/AT/A/2007/00007 dated 10.07.2007) Investigation into tax evasion can be said to be over or complete, only after the final adjudication about the tax liability had been made after the matter has gone through all the stages of appeals and revisions as well as a final decision about prosecuting or not prosecuting that person has been taken by an appropriate competent authority.

3.5 It was also conveyed that the dispatch detail for a specific letter can be provided on a specific request unless the same is restricted under any Section of the RTI Act, 2005.

3.6 Further, CPIO Khanna opined that dispatch details of non-sensitive communication can be provided except where the particulars of an individual tax payer/ Informer/Complainant such as Name, Address, PAN No, GSTIN No. (for cases under investigation, third party data, DGARM Data) appears in the dispatch details. Hence, disclosure of all dispatch record for the 5 months is denied with a caveat to seek specific information i.e Dispatch details for specific letters and not the Bulk Dispatch Record for 5 months.

4. Discussion and Findings:

4.1 I have carefully examined the Appeal filed by the appellant; reply of the CPIO, comments of the CPIO on RTI Appeal filed by the appellant and relevant provisions of the Act.

4.2 I find that the appellant was not satisfied with the reply of CPIO. The information sought by the appellant vide his RTI application dated 17.05.2019 is for copy of Dispatch Dak

I/30608/2019

Register of CGST Khanna Division for the period of 01.10.2018 to 31.11.2018 and 01.01.2019 to 31.03.2019.

4.3 I find that the CPIO vide his office letter dated 20.06.2019 has denied the information citing different Sub-sections of Section 8 of the Act, substantiating the same with certain decisions of CIC.

4.4 I treat it pertinent to go through the records as requested by the appellant. Accordingly, I have called for the said records and have gone through the different entries of the dispatch register one by one. I find that there are a number of entries which pertain to certain informers, CPGRAM, DGARM and sensitive issues relating to different employees of the Department. The issue to be decided is whether information sought can be supplied to the appellant under such conditions and if not under what Sections/Rulings of different Hon'ble Courts. In this regard, I am taking cognizance of relevant decisions which are elaborated in the following Paras.

(i) In the case of Union Public Service Commission Vs. Dr. Mahesh Mangalat the Hon'ble High Court of Delhi has categorically opined that the restriction of disclosure of reasons cannot be misconstrued to mean that any information pertaining to a public authority or its employees is Public Information. They have further held that unless the CPIO or the State PIO or the appellate authority as the case may be, is satisfied that the larger public interest justifies, the disclosure of any such information that invades the privacy of an individual is not permissible.

(ii) The Apex Court in Bihar Public Service Commission Vs Saiyad Hussain Abbas Rizwi & Anr.'2012 (12) SCALE 525 has held that "30----- *The disclosure of names and addresses of the members of the Interview Board would ex facie endanger their lives or physical safety. The possibility of a failed candidate attempting to take revenge from such persons cannot be ruled out. On the one hand it is likely to expose the members of the Interview Board to harm and, on the other, such disclosure would serve no fruitful much less any public purpose.* In this case as is clear inter alia from the decision of the Apex Court the appellant has prayed for the disclosure of the names and addresses of the members of the Interview Board".

4.5 I find that the appellant has not given any specific reason as to how the information sought by him can serve public interest and I also observe that the disclosure of certain entries pertaining to informer(s), CPGRAM(s), DGARM may endanger life of the persons involved thereof. However, in his own interest, the appellant may ask for specific information which may be provided unless the same is restricted under any Section of the Act.

4.6 In view of the above, I am inclined to go with the decision of the CPIO and pass the following order:

5. **Order:**

The appeal is rejected accordingly.

(Rajan Lachala, IRS)
1st Appellate Authority (RTI)

I/30608/2019

GST Commisionerate Ludhiana

Speed Post/Online Copy to:-

- (i) [REDACTED]
- (ii) The CPIO, GST Division, Khanna for information and necessary action.

[REDACTED]

84464/2019/Tech

RTI APPEAL DETAILS (आरटीआई अपील विवरण)

Appeal Registration Number (अपील पंजीकरण संख्या) :	GSTCH/A/2019/60009	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	03/07/2019
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या) :	GSTCH/R/2019/50053	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	02/06/2019
Name (नाम) :	[REDACTED]	Gender (लिंग) :	Male
Address (पता) :	[REDACTED] DISTT. LUDHIANA		
Pin code (पिन कोड) :	141401		
State (राज्य) :	Punjab	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	-91-[REDACTED]
Email-ID (ईमेल-आईडी) :	[REDACTED]		
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) :	
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
CPIO Approached (संपर्क सीपीआईओ) :	38011	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided		
Ground for Appeal (अपील का आधार) :	Refused access to Information Requested		
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ) :	I had filed an online application no GSTCH/R/2019/50053 to inspect complete office record including computer system of office of GST Divison Khanna Commissionerate Ludhiana. But the PIO cum Assistant commissioner has denied the information u's 8(1)(j) of the RTI Act 2005 vide his communication noFile No.RTI-APP/114/2019-DIV-GST-KHANNA		

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ACTION HISTORY OF RTI REQUEST No.GSTCH/R/2019/50053

Applicant Name Rajan Kumar Garg

Text of Application 1.Kindly provide complete list of Office record being maintained by GST DIVISION Khanna under eoffice and office procedure manual/ Compendium on Maintenance of records in Central Excise as per guide lines of CBIC 2. I want to inspect the Complete office record including Computer System of GST Divison Khanna under RTI Act. and to take copies from the relevant records. Kindly allow me to inspect the records at the earliest

Reply of Application 1. (i) E-office become Functional in GST Division from FY 2019-20. Old records are gradually migrated to e-office. All new files and statutory records are maintained in e-office. (ii) Further, Office Procedure Manual, CBEC/Compendium on maintenance of records in Central Excise can be obtained from the official Website of CBIC i.e. www.cbic.gov.in as same is already available in public domain. 2. Bulk third party data, wherein the applicant has no locus standi and can infringe on the privacy of other tax-payers cannot be given under RTI. The information sought is denied under Section 8(1)(j) of the RTI Act, 2005.

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	02/06/2019	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	03/06/2019	Nodal Officer	Forwarded To : Tej ram Meena Khanna
3	REQUEST TRANSFERRED TO OTHER CPIO	06/06/2019	Amanjit Singh GST LDH- (CPIO)	Transferred to CPIO(s) : (1) Tej ram Meena Khanna
4	REQUEST DISPOSED OF	04/07/2019	Tej ram Meena Khanna- (CPIO)	

Print


I had filed an online application no GSTRCH 'R' 2019 (SAGS) to inspect complete office record including computer system of office of Divison Khanna Commissionerate Ludhiana. But the PIO cum Assistant Commissioner has denied the information u/s 8(1)(j) of the RTI Act 2005. He has denied the information saying that "Bulk third party data wherein the applicant has no locus standi and can infringe on the privacy of other tax-payers cannot be given under RTI. The information sought is denied under Section 8(1)(j) of the RTI Act 2005." I request your good self to consider following points and take appropriate action under RTI Act:

1. The CPIO has interpreted sec 8(1)(j) wrongly. According to sec 8(1)(j) of RTI Act "information which relates to personal information the disclosure of which has the relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information. Provided that the information, which cannot be denied to the Parliament or a State Legislature shall not be denied to any person." It is in larger Public Interest as the inspection of records will bring out the irregularities, harassment, misconduct, corruption, delays, undue and deliberate delay in dispatch of letters etc. Nothing being done by the office of Assistant Commissioner.
2. Secondary inspection of office records and obtaining copies of record is under purview of RTI Act without proving any locus standi.

3. As per RTI Act "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; (iv) 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; So it is duty of CPIO to allow inspection of official records of GST Division Khanna

UnRegistered

I/30753/2019(1)

	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवा कर आयुक्तालय - लुधियाना CENTRAL GOODS AND SERVICES TAX COMMISSIONERATE-LUDHIANA जीएसटी भवन , फ ब्लॉक, ऋषि नगर लुधियाना-141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA-141001 दूरभाष/Phone No. 0161-2679423, फैक्स/Fax No.-0161-2304881 ई-मेल/E-mail: gst.ludhiana@gov.in</p>	
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Date: 01/08/2019

Order-in-Appeal No.: 06/RTI/GST/Ldh/19

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order)

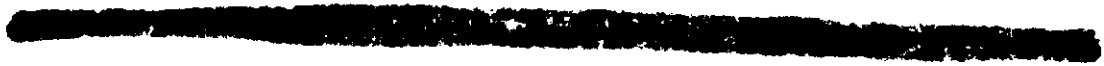
Brief Facts:

Sh. [REDACTED]
141401 (hereinafter referred to as the "appellant"), vide his RTI application dated 02.06.2019, received in the office of Central Public Information Officer, GST Division Khanna (hereinafter referred to as the "CPIO") on 21.06.2019, under the Right to Information Act, 2005 (hereinafter referred to as the "Act"), had desired certain information.

2. Grounds of Appeal:

2.1 That the CPIO vide his office letter C. No. RTI-APP/114/2019-DIV-GST-KHANNA/I/ 24766/2019 dated 01.07.2019 had provided the information in respect of Point No. 1 and denied the information under Section 8(1)(j) of the Act in respect of Point No. 2 being Bulk third party data, wherein the appellant has no locus standi and can infringe on the privacy of other taxpayers cannot be given under the Act.

2.2 The Appellant, being not satisfied, has filed an appeal dated 03.07.2019 on the following grounds:



I/30753/2019(1)

- i. The information denied wrongly as the inspection of records can bring out the irregularities, harassment, misconduct, corrupt practices, undue and deliberate delay in dispatch of letters etc. being done. Further the information which cannot be denied to the Parliament shall not be denied to any person.
- ii. The inspection of office records and obtaining copies of record is under the purview of the Act without proving any locus standi.
- iii. As per the Act “ 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; IV) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printout where such information is stores in a computer or in any other device.

3. Comments of the CPIO:

3.1 The CPIO provided the information requested under Point 1 of the RTI Application and denied the Information under Point 2 (Inspection of COMPLETE Office Records and Systems) under Section 8(1)(j) of the RTI Act, 2005.

3.2 The detailed reasons for the denial of the Request for inspection of COMPLETE Officer Record is as follows:

- i. Inspection of COMPLETE Office Records including Systems is time-consuming and would interference in the functioning of the Office.
- ii. Inspection of Computer Systems can lead to disclosures prohibited under Section 158 of the CGST Act, 2017.

Section 158. Disclosure of information by public servant -- (1) All particulars contained in any statement made, return furnished or accounts or documents produced in accordance with this Act, or in any record of evidence given in the course of any proceedings under this Act (other than proceedings before a criminal court), or in any record of any proceedings under this Act shall, save as provided in sub-section (3), not be disclosed.

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- iii. Allowing inspection of COMPLETE Office Records to one taxpayer would infringe on the privacy of the other taxpayers who are under investigation.
- iv. Disclosure of personal information of employee are exempted under Section 8(1)(j) of the Act. Hence, Inspection of Employee records is denied.
- v. The information contained in the file which is unconnected with the appellant can be withheld from disclosure by applying the severability clause under Section 10(1) of the RTI Act, 2005 (CIC order No. CIC/AT/A/2007/00949)
- vi. The appellant has requested for inspection of COMPLETE Office Records wherein the implication of disclosure on each file has to be studied before allowing inspection.

The

appellant has not provided any list of Files/Records to be inspected.

Hence, allowing blanket inspection of COMPLETE Officer Records and Computer Systems to a taxpayer who has been issued Show Cause Notice (SCN) and Order-in-Original based on the cases booked by intelligence agencies, would open a flood-gate to such requests from other tax-payers. Relevant Documents have already been provided to the appellant at the adjudication stage. Inspection of COMPLETE Office Record would not serve any public interest and would only disrupt the smooth functioning of the Office of CGST Division Khanna. The Office is being regularly audited, inspected as per the Departmental mechanism already in place.

However, to facilitate the disclosure of information to the appellant, the CPIO can consider the inspection request of specific file(s) which is not within the purview of Section 158 of the CGST Act, 2017, infringe privacy of other taxpayers or employees or under investigation wherein investigation under Section 8(1)(h) is to be interpreted as "Investigation into tax evasion can be said to be over or complete, only after the final adjudication about the tax liability had been made after the matter has gone through all the stages of appeals and revisions as well as a final decision about prosecuting or not prosecuting that person has been taken by an appropriate competent authority."

4. Discussion and Findings:

4.1 I have carefully examined the Appeal filed by the Appellant; the reply of the CPIO, comments of the CPIO on RTI appeal filed by the appellant and relevant provisions of the Act.

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4.2 I find that the appellant was not satisfied with the reply of CPIO regarding information sought by the appellant vide his RTI application dated 02.06.2019.

4.3 I find that the CPIO vide his office letter dated 01.07.2019 has stated that the information sought in r/o Point No. 1 was provided and information in r/o Point No. 2 was denied under Section 8(1)(j) of the Act.

4.4: To me the legal point to be decided is whether the CPIO is legally correct by not acceding to the request of the Appellant i.e. "*Inspecting the complete office record including Computer System of GST Division Khanna under the Act and to take copies from the relevant record*". This makes me to re-visit the various provisions under the Act and in particular Section 8 of the Act. In this regard, I am inclined to go through Sub-section (j) of Section of the Act which is given as under:

.....

.....

" information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information".

From the plain reading of this section CPIO has to satisfy himself that the larger public interest is involved in the disclosure of any information.

4.5 I also note that the Appellant has not specified as to how the information sought would serve the larger public interest, nor elaborated it by any specific example.

4.6 I further note that the inspection of complete office record and computer system would definitely bring to the fore the names of the informers, taxpayers and details of other secret information which eventually would lead to sharing of third party information and may also endanger the life of certain individuals. This is vehemently a ground for denial of information under various Sub-sections of the Section 8 of the Act.

4.7 From the reply of the CPIO to the appellant, I deduce that investigation is already

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going on against the appellant in some tax related case(s) and the investigation has not yet attained finality and as such even under such circumstances, the decision of the CPIO holds good, keeping in view the provisions pertaining to the denial of the information as well as the plethora of decisions by various judicial authorities.

4.8: In the case of Shri Milap Choraria V/s CBDT (No. CIC/AT/C/2008/00025 dated 27.07.2009, the Hon'ble CIC has observed, "*A public authority must not be obligated to explain its conduct by revealing the entire decision-making process to the very litigant with whom it may be engaged in a dispute, legal or otherwise.*

In our view, respondents have persuasively argued that under Section 11(1) of the Act, there are compelling grounds for them to hold confidential information relating to how they wished to defend their legal position in litigation or a threatened litigation. Their reference to the violation of the norms of equity in allowing the very person, who seeks to drag the public authority to court, all information about how the public authority wishes to defend itself is also quite convincing. In our view, appellant has failed to cite any public interest that would commend superseding the protected interest in the matter of disclosure of the requested information, within the meaning of Section 11(1) of the RTI Act. The appeal petition, therefore, fails scrutiny and is dismissed.

4.9 The decision of the Hon'ble Supreme Court of India in Civil Appeal No. 6454 of 2011 dated 09/08/2011 titled as Central Board of Secondary Education & Anr. v. Aditya Bandopadhyay & Ors. is apt in this case. The Hon'ble Apex Court has observed in this case, "*Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a*

I/30753/2019(1)

public authorities prioritizing 'information furnishing', at the cost of their normal and regular duties. Further, this Commission observed that some of the information sought by the appellant is in the nature of commercial confidence and personal information of third party(s). Hence, the action/steps taken by the respondent in dealing with the RTI application(s) is satisfactory".

4.10 In view of the above discussions, I do not find any ground to interfere in the decision of the CPIO.



With these remarks I pass the following order:

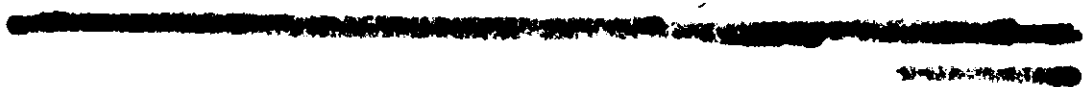
5. Order:

The appeal is rejected, accordingly.

(RAJAN LACHALA)
1st Appellate Authority (RTI)
GST Commissionerate, Ludhiana.

Speed Post/copy to:-

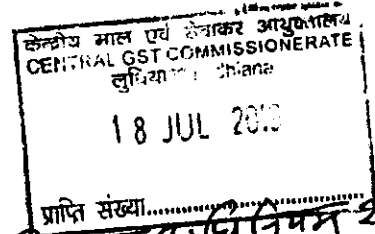
- i. 

- ii. The CPIO, GST Division, Khanna for information and necessary action.



प्रति,

दिनांक 18/07/2019

राजन लचत्पा (संयुक्त आयुक्त)
 प्रथम अपीलिय अधिकारी
 केन्द्रीय माल और सेवाकर आयुक्तालय
 लुधियाना



विषय: केन्द्रीय जनशून्यता अधिकार अधिनियम 2005
 के अन्तर्गत अपील

महोदय,

मैं यह अपील केन्द्रीय जन शून्यता अधिकारी अग्रजित सिंह के आदेश दिनांकित 11/07/2019 (छायाप्रति संलग्नित) के विरुद्ध कर रहा हूँ। अपील के आधार निम्नवत् हैं -

① जनशून्यता अधिकारी ने बहुत से अदालती आदेशों की अवमानना की है जो कहते हैं कि जनशून्यता अधिकारी को स्पष्ट करना जरूरी है कि कैसे किसी को शून्यता देने से जॉय प्रक्रिया बाधित हो सकती अर्थात् कारणों को बताता आनम्पड है कि मुझे शून्यता देने से जॉय प्रक्रिया ^{मिलाने} बाधित हो सकती है। पर जनशून्यता अधिकारी ने ऐसा कुछ भी नहीं किया, इस प्रकार उपधारा 8(1) के लागू कला अन्तर्गत अवैधिक है। मैं कुछ आदेश उद्धरित कर रहा हूँ -

- ① B.S. Mathur Vs Public Information officer of Delhi High Court
 W.P.(C) 295/2011, W.P.(C) 608/2011 (दिल्ली उच्च न्यायालय का निर्णय)
- ② Deputy Commissioner of Police Vs D. K. Sharma
 W.P.(C) 12428/2009 & CM
 APPL 12874/2009 (दिल्ली उच्च न्यायालय का निर्णय)

③ The Supdt. of Police Vs R. Karthikeyan
 दिनांकित 12/01/2010
 (Madras High Court)
 W.P. No. 23507 एवं 2358 of 2009

④ Secretary to Government Vs S. Suresh Babu
 दिनांकित 13/04/2010
 (Madras High Court)

⑤ Central Board of Direct Taxes Vs
 Satya Narain Shukla
 दिनांकित 19/12/2018
 (माननीय दिल्ली उच्च-न्यायालय)

⑥ Bhagat Singh Vs Chief Information Commissioner
 दिनांकित 03-12-2007 (दिल्ली उच्च-न्यायालय)

और भी बहुत सारे प्रादेश हैं।

② मुझे कहीं से पता चला कि श्री सुनील सिंह कटियार (आयुक्त)
 जिला मजान में रह रहे हैं, वे उक्त मकान पर आयुक्त निजली
 के कर का भुगतान नहीं कर रहे, पर यह भुगतान के दायरे
 मान और सेवाएं आयुक्तालय लुधियाना कर रहा है।
 इसका और स्पष्टीकरण करने के लिये मैंने श्री सुनील सिंह
 को भी जी। जिले चर्चित ने मुद्दा उठाया, वह चर्चित
 उस मुद्दे के सम्बन्ध में जांच को कभी बाधित
 नहीं करेगा बल्कि सहयोग ही करेगा। मैं लुधियाना

③

प्रशासन को लगातार मागिर्शन कर रहा है। मैंने ही कहा निजली का बिल मांग लो, बिल दे देते हैं तो मुख्य मीटर लगा, नहीं दे पाते तो नहीं लगा। मैंने ही कहा डिप्टी क्लर्क की मुआलाज के प्रमाण स्वरूप कुछ रशीदें मांग लो। सब मीटर किस मुख्य मीटर से जुड़ा मह बिजली का काम जानने वाला तुरन्त बता देगा। इस प्रकार मैं लगातार लुधियाना प्रशासन को ~~बिल~~ सहयोग कर रहा हूँ। सहयोग करना एवं बाधा पहुँचाना विलोम शब्द है पर अमानजित लिह के लिये ये पर्यायवाची शब्द है। इस प्रकार अमानजित लिह की मह माशका कि जॉय प्रक्रिया बाधित हो सकती, समय पर शुरू है।

④ पहले से चल रही जॉय पर प्रश्न पूछे जायें तो जॉय की बात करना समझ में आती, पर माँगी गयी सूचना में जॉय कस्ता, उसे सुनना न देने का अर्थ बताना सूचना न देने की लड Modus operandi ही है।

⑤ अब आप मेरे प्रश्नों को ध्यानपूर्वक देखें:- प्रश्न क्या है? मीटर लगा या नहीं? इसकी जॉय में कितना समय लगता 15 मिनट, बाधा कबका पर तक से जॉय चल रही पर नहीं कब तक चलती रहेगी। इस प्रकार जॉय शब्द को सूचना न देने के लिये हथियार के रूप में प्रयोग किया गया है।

उपर्युक्त आधारों पर आपसे अनुरोध है

कि मेरी अपील स्वीकृत की जाये।

(4)

अपीलकर्ता

18/07/2012
समय 12:37


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कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER
माल और सेवाकर आयुक्तालय, लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001
दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881;
ई-मेल/Email: tech-gstldh@gov.in



Hindi version of OIA No. 08/RTI/GST/Ludhiana/19 dated 31.08.2019

अपील-में-आदेश संख्या: 08/आरटीआई/जीएसटी/लुधियाना/19 दिनांक: 31.08.2019 का हिन्दी संस्करण

अपील-में-आदेश संख्या: 08/आरटीआई/जीएसटी/लुधियाना/19

(इस आदेश के विरुद्ध अपील केंद्रीय सूचना आयोग, ब्लॉक नंबर 5 (5 वीं मंजिल), ओल्ड जेएनयू कैंपस, नई दिल्ली में है। यह प्रतिलिपि व्यक्ति को उसके व्यक्तिगत उपयोग के लिए मुफ्त में जारी की जाती है। इस आदेश से व्यथित व्यक्ति इस आदेश की प्राप्ति के 90 दिनों के भीतर अपीलीय प्राधिकरण में अपील दायर कर सकता है।)

संक्षिप्त तथ्य:

श्री [REDACTED] (इसके बाद "अपीलकर्ता" के रूप में संदर्भित), ने अपने आरटीआई आवेदन दिनांक 13.06.2019 (अनुस्मारक दिनांक 01.07.2019, 04.07.2019 और 05.07.2019) के द्वारा सूचना का अधिकार अधिनियम, 2005 तहत कुछ जानकारी प्राप्त करने के लिए आवेदन दिया।

2. अपील के आधार:

2.1: केन्द्रीय जनसूचना अधिकारी ने अपने पत्र फाइल सं. TECH-RTI0APP/183/2019-HQ-GST-LDH/ I/26564/2019 दिनांक 11.07.2019 के द्वारा आरटीआई आवेदन का निम्न जवाब दिया था:

1. श्री [REDACTED] टाइप V, GST भवन, ऋषि नगर लुधियाना में फ. संख्या I-4(4)Admn/HQ/02/9372-74 के अंतर्गत दिनांक 07.06.2013 को आबंटित किया गया था।
क्रम संख्या २ से ६ तक मांगी गयी सूचना को सूचना के अधिकार अधिनियम 2005 के अनुभाग 8(1)(h) के अंतर्गत देने से इंकार किया जाता है क्योंकि आबंटियों को बिजली का बिल जारी करने/वसूली बिल जारी करने के बारे में केंद्रीय माल और सेवा कर आयुक्तालय की सतर्कता शाखा

[REDACTED]

[REDACTED]

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द्वारा जांच की जा रही है एवं जब तक जांच पूरी नहीं हो जाती, तब तक सम्बंधित जानकारी साँझा नहीं की जा सकती है, क्योंकि इससे जांच की प्रक्रिया बाधित हो सकती है।

2.2: अपीलकर्ता ने संतुष्ट नहीं होने पर दिनांक 18.07.2019 को निम्नलिखित आधारों पर अपील दायर की है।

(1) जन सूचना अधिकारी ने बहुत से अदालती आदेशों की अवमानना की है जो कहते हैं की जन सूचना अधिकारी को स्पष्ट करना जरूरी है कि कैसे किसी को सूचना देने से जांच प्रक्रिया बाधित हो सकती है अर्थात् कारणों को बताना आवश्यक है कि मुझे सूचना देने से जांच प्रक्रिया किस प्रकार बाधित हो सकती है। पर जन सूचना अधिकारी ने ऐसा कुछ भी नहीं किया, इस प्रकार उपधारा 8(1)(h) लागू करना पूर्णतः अविधिक है। मैं कुछ आदेश उद्धरित कर रहा हूँ -

- (1) B.S. Mathur Vs Public Information officer of Delhi High Court W.P. (C) 295/2011, W.P. (C) 608/2011 (दिल्ली उच्च न्यायालय निर्णय)
- (2) Deputy Commissioner of Police Vs D.K. Sharma W.P. (C) 12428/2009 & CM, APPL 12874/2009 (दिल्ली उच्च न्यायालय निर्णय)
- (3) The Supdt. Of Police Vs R. Karthikeyan दिनांकित 12/01/2010 (Madras High Court) W.P. No. 23507 एवं 2358 of 2009
- (4) Secretary to government Vs S. Suresh Babu दिनांकित 13/04/2010 (Madras High Court)
- (5) Central Board of Direct Tax Vs. Satya Narain Shukla दिनांकित 19/02/2018 (माननीय दिल्ली उच्च न्यायालय)
- (6) Bhagat Singh Vs Chief Information Commissioner दिनांकित 03/12/2007 (दिल्ली उच्च न्यायालय)

(2) मुझे कही से पता चला है कि [REDACTED] जिस मकान में रह रहे हैं, वे उस मकान पर उपयुक्त बिजली के कर का भुगतान नहीं कर रहे हैं, पर यह भुगतान केन्द्रीय माल एवं सेवाकर आयुक्तालय लुधियाना कर रहा है. इसका और स्पष्टीकरण करने के लिए मैंने ये सूचनाएं मांगी थी। जिस व्यक्ति ने मुद्दा उठाया, वह व्यक्ति उस मुद्दे के सम्बन्ध में जाँच के कभी बाधित नहीं करेगा बल्कि सहयोग ही करेगा। मैं लुधियाना प्रशासन को लगातार मार्गदर्शन कर रहा हूँ। मैंने ही कहा बिजली का बिल मांग लो, बिल दे देते है तो मुख्य मीटर लगा, नहीं दे पते तो नहीं लगा। मैंने ही कहा कि प्रत्येक वर्ष की भुगतान के प्रमाण स्वरूप कुछ रशीदे मांग ली। सबमीटर किस मुख्य मीटर से जुड़ा यह बिजली का काम जानने वाला तुरंत बता देगा। इस प्रकार मैं लगातार लुधियाना प्रशासन को सहयोग कर रहा हूँ। सहयोग करना एवं बाधा पहुंचना विलोम शब्द हैं पर अमनजीत सिंह के लिए पर्यायवाची शब्द हैं। इस प्रकार अमनजीत सिंह

XXXXXXXXXXXXXXXXXXXX

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की यह आशंका कि जाँच प्रक्रिया बाधित हो सकती, सरासर झूठ है।

(3) पहले से चल रही जाँच पर प्रश्न पूछें जाएँ तो जाँच की बात करना समझ में आती है, पर मांगी गयी सूचना में जाँच करना, उसे सूचना न देने का कारण बताना सूचना न देने की एक Modus Operandi ही है।

(4) अब आप मेरे प्रश्नों को ध्यान पूर्वक देखें – प्रश्न क्या थे ? मीटर लगा या नहीं ? इसकी जाँच में कितना समय लगता १५ मिनट्स, आधा घंटा पर तब से जाँच चल ही रही है पता नहीं कब तक चलती रहेगी। अन्य प्रश्न भी इस प्रकार के हैं। इस प्रकार 'जाँच' शब्द को सूचना न देने के लिए हथियार के रूप में प्रयोग किया गया है।

उपरोक्त आधारों पर आपसे अनुरोध है कि मेरी अपील स्वीकृत की जाये।

3. केन्द्रीय जनसूचना अधिकारी द्वारा नोटिस का जवाब:

3.1: केन्द्रीय जनसूचना अधिकारी ने अपने पत्र सं. File No.TECH-RTI0APP/183/2019-HQ-GST-LDH/ 93455/2019/Tech दिनांक 23.08.2019 के द्वारा नोटिस पर निम्न टिप्पणियां प्रदान की हैं:

I. आवेदक यानी, श्री सोमेश तिवारी द्वारा मांगी गई जानकारी सूचना का अधिकार अधिनियम, 2005 की धारा 8(1)(h) के संदर्भ में आपूर्ति नहीं की जा सकती है क्योंकि फ्लैट टाइप IV और V के रहने वालों द्वारा बिजली शुल्क का भुगतान नहीं करने से संबंधित मामला सतर्कता समिति के अंतर्गत जांच के अधीन है, जिसका गठन केन्द्रीय माल और सेवा कर आयुक्तालय, लुधियाना में आयुक्तालय स्तर पर किया गया था।

II. जाँच पड़ताल अभी भी प्रारंभिक अवस्था में है। इन तीन आवासीय फ्लैटों H.No 1 (टाइप V), H.No 2 (टाइप V) और H.No 3 (टाइप IV) जोकि 2003 से जीएसटी भवन, ऋषि नगर, लुधियाना में स्थित है में लगे उप-मीटर के विवरण/PSPCL के लगाए गए/हटाये गए मीटर के बारे में पता लगाना/पूछताछ अभी बाकी है। ऐसी जानकारी कि किस तारीख पर ये मीटर लगाए गए, हटाये गए, बिल में बढ़ोतरी/गैर बढ़ोतरी के कारण (प्रशासन शाखा द्वारा बिल उठाने या न उठाने के कारण), गैर भुगतान के कारण, लोड की गणना न करना और रहने वालों आदि द्वारा किया गया बिजली शुल्क का भुगतान अभी तक सत्यापित नहीं किया गया है।

केवल कुछ मामलों में प्रशासन शाखा, केन्द्रीय माल और सेवा कर आयुक्तालय, लुधियाना द्वारा बिल इजाद किये गए हैं। उन सभी अधिकारियों के नाम जिन्हें 2003 से इन घरों को आवंटित किया गया था या मीटर से संबंधित मामला डील किया गया था और बिल आदि जुटाने में असफल रहे थे का पता लगाया जा रहा है और बिलों का भुगतान न करने के संबंध में पूरी जांच की जा रही है।

III. आवेदक एक विशेष अधिकारी के बारे में जानकारी मांग रहा है जबकि सतर्कता शाखा पूरे मामले

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और इस मामले से जुड़े दर्जनों अधिकारियों की जांच कर रही है। किसी भी एक अधिकारी से संबंधित इस स्तर पर जानकारी देने से जांच की दिशा का खुलासा हो सकता है , संवेदनशील क्षेत्रों का भी खुलासा हो सकता है जो कि अपराधी अधिकारी, यदि कोई हो, उसका शोषण कर सकता है।

IV. इसके अलावा वर्तमान आरटीआई आवेदन के निस्तारण के पहले व बाद में (परिणामस्वरूप) आवेदक अपने विभिन्न पत्रों के माध्यम से जोकि आयुक्तालय /क्षेत्र और सतर्कता महानिदेशालय के विभिन्न अधिकारियों को संबोधित है, जाँच के संबंध में निराधार आरोप लगाकर जांच में भी बाधा डाल रहे हैं। पत्रों का विवरण निम्नानुसार है:

अनु क्रमांक	पत्र दिनांक	टिप्पणियाँ
(i)	01.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने कहा कि यह मामला श्री सुनील कुमार कटियार से संबंधित है, इसलिए आयुक्त को तथ्यों से छेड़छाड़ नहीं करनी चाहिए।
(ii)	04.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं संयुक्त आयुक्त (का. एवं सत.) और केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने कहा कि उसके द्वारा मांगी गई जानकारी बहुत आसान है जिसकी एक दिन की अवधि में आपूर्ति की जा सकती थी, यदि सूचना आपूर्ति करने का इरादा हो। उन्होंने फिर कहा कि यह सुनिश्चित किया जाये कि तथ्यों के साथ छेड़छाड़ न हो।
(iii)	15.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने कहा कि जिस तरह से उसकी आरटीआई के सवाल का जवाब केन्द्रीय जनसूचना अधिकारी ने दिया है, यह स्पष्ट है कि लुधियाना आयुक्तालय श्री सुनील सिंह कटियार को बचाने के लिए दृढ़ संकल्पित है। उन्होंने आगे आरोप लगाया कि केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना श्री सुनील सिंह कटियार के प्रति कानून से अधिक प्रतिबद्ध हैं। उन्होंने आगे आरोप लगाया कि प्रशासनिक शाखा के कुछ अधिकारियों को बलि का बकरा बनाकर इस मामले को निपटाने की कोशिश की जा रही है ताकि श्री सुनील सिंह कटियार को बचाया जा सके।
(iv)	16.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं मुख्य आयुक्त, माल और सेवा कर जोन, चंडीगढ़ और संयुक्त आयुक्त (का. एवं सत.), माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने माल और सेवा कर आयुक्तालय, लुधियाना के स्तर पर गठित एक टीम द्वारा एक फिल्म की पटकथा के रूप में जांच की जा रही है, जहां प्रशासनिक शाखा से कुछ अधिकारियों को बलिदान करने का प्रयास किया जा रहा है ताकि वास्तविक अपराधी को बचाया जा सके। उन्होंने आगे कहा कि केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर

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		आयुक्तालय, लुधियाना श्री सुनील सिंह कटियार को बचाने के लिए पागल हो गए हैं और वह कानून और अदालती फैसलों की अवमानना करने से भी नहीं चूकते। आवेदक ने आगे कहा कि माल और सेवा कर आयुक्तालय, लुधियाना के स्तर पर शुरू की गई जांच को वापस लिया जाए और मामले को DGoV द्वारा पूछताछ करने दिया जाए।
(v)	17.07.2019	इस पत्र में निदेशक DGoV, नई दिल्ली को संबोधित किया गया है, प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना, संयुक्त आयुक्त (का. एवं सत.) और केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने आरोप लगाया कि श्री सुनील कटियार, आयुक्त को बचाने के लिए माल और सेवा कर आयुक्तालय, लुधियाना में कुछ रणनीति बनाई गई है। उन्होंने आरोप लगाया कि प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना आवेदक द्वारा लिखे गए पत्रों का उत्तर न देकर रणनीति के पहले छोर पर काम कर रहे हैं ; केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना आवेदक को सूचना न देने के लिए एक बहाने के रूप में 'जांच' शब्द का उपयोग करके रणनीति के दूसरे छोर पर काम कर रहा है। आवेदक ने फिर आरोप लगाया कि केन्द्रीय जनसूचना अधिकारी के लिए श्री सुनील सिंह कटियार कानून से ऊपर हैं। उन्होंने आगे आरोप लगाया कि रणनीति का तीसरा सिरा प्रशासनिक अनुभाग से किसी अधिकारी पर सारा दोष डालकर श्री सुनील सिंह कटियार को बचाना है। उन्होंने आगे आरोप लगाया कि रणनीति का चौथा छोर श्री सुनील सिंह कटियार पर कर चोरी के सम्बन्ध में कोई कार्यवाही किये बिना उनसे कुछ पैसे जमा करवाके संतुष्ट करना है।

उपर्युक्त तथ्य प्रथम दृष्टया यह स्पष्ट करते हैं कि आवेदक जांच प्रक्रिया को बाधित करने और विनियमित करने की कोशिश कर रहा है जो एक प्रारंभिक अवस्था में है।

V. उपरोक्त के मद्देनजर, आवेदक को किसी भी जानकारी की आपूर्ति करना आयुक्तालय द्वारा की जा रही जांच को खतरे में डाल सकता है और इसलिए आवेदक द्वारा मांगी गई जानकारी को सूचना का अधिकार अधिनियम, 2005 की धारा 8(1)(h) के संदर्भ में अस्वीकार कर दिया जाना चाहिए।

4. चर्चा और निष्कर्ष:

4.1: सूचना का अधिकार अधिनियम, 2005 की धारा 19 के पैरा 6 के अनुसार एक अपील का उप-धारा (1) या उप-धारा (2) के अंतर्गत प्राप्ति के तीस दिनों के भीतर निस्तारण किया जाएगा या विस्तारित अवधि के भीतर दाखिल करने की तारीख से कुल पैंतालीस दिनों से अधिक नहीं, जैसा भी मामला हो, कारण लिखित रूप में दर्ज किए जाने हैं।

जैसा कि अधीक्षक (सतर्कता) ने पत्र दिनांक 09.08.2019 द्वारा सूचित किया है कि जांच समिति के सदस्यों में से एक यानी श्री अमनजीत सिंह, उपायुक्त (सतर्कता) दिनांक 15.08.2019 तक छुट्टी पर हैं और

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इसलिए श्री अमनजीत सिंह, उपायुक्त (सतर्कता) द्वारा कार्यभार संभाल लेने के बाद अपेक्षित टिप्पणियां भेजी जाएंगी। अतः अपील पर टिप्पणियां केन्द्रीय जनसूचना अधिकारी द्वारा दिनांक 23.08.2019 को प्राप्त हुई हैं। इसलिए, अपील के निपटान का समय सूचना का अधिकार अधिनियम, 2005 की धारा 19 के पैरा 6 के अनुसार बढ़ाया गया।

4.2: मैंने अपीलार्थी द्वारा दायर अपील, केन्द्रीय जनसूचना अधिकारी के नोटिस और अधिनियम से सम्बंधित प्रावधानों की सावधानीपूर्वक जांच की है।

4.3: मेरे द्वारा पाया गया है कि अपीलकर्ता वांछित जानकारी प्रदान नहीं किये जाने से व्यथित है और उन्होंने अपने अपील दिनांक 18.07.2019 में उल्लेख किया है कि सूचना का अधिकार अधिनियम 2005 की धारा 8 (1) (h) वर्तमान मामले पर लागू नहीं है।

4.4: मैंने आगे पाया कि आरटीआई के पैरा नंबर 1 के संबंध में जानकारी पहले ही अपीलार्थी को दे दी गई है और आरटीआई के पैरा नंबर 2 से 6 के संबंध में सूचना का अधिकार अधिनियम, 2005 की धारा 8 (1) (h) के तहत सूचना देने से इनकार किया गया है। सूचना का अधिकार अधिनियम, 2005 की धारा 8(1)(ज) के अनुसार, सूचना, जिससे अपराधियों के अन्वेषण, पकड़े जाने या अभियोजन की प्रक्रिया में अड़चन पड़ेगी; उस जानकारी का खुलासा करने की छूट है।

सूचना का अधिकार अधिनियम 2005 की धारा 8 (1) (h) में प्रयुक्त शब्द 'जांच' की व्याख्या मोटे तौर पर और उदारतापूर्वक की जानी चाहिए। इस प्रकार, किसी भी जाँच को तब तक पूर्ण नहीं कहा जा सकता जब तक कि वह उस स्तर पर न पहुँच जाए जहाँ उस जाँच के आधार पर अंतिम निर्णय लिया जाता है। जो मामला जांच के सभी चरणों से गुजर जाये उसे ही सही मायने में पूरा कहा जा सकता है। कार्यवाही के अंतिम निष्कर्ष से पहले किसी भी स्तर पर प्रारंभिक जांच में जुड़ी जानकारी का कोई भी खुलासा, यदि कोई हो, तो सार्वजनिक प्राधिकरण के मामले के लिए हानिकारक होगा, विशेष रूप से तथाकथित सफेद कॉलर अपराधों की जांच में जहाँ कार्रवाई अच्छी तरह से परिभाषित नहीं है और प्रायः जाँच इधर – उधर चल रही हो जब तक अंतिम तस्वीर नहीं उभरती।

4.5: इसके अलावा, केन्द्रीय जनसूचना अधिकारी की टिप्पणियां (जैसे कि ऊपर पैरा 3.1 (IV) में लिखित है) से यह प्रकट होता है /पता चलता है कि सूचना के लिए अपीलकर्ता की सूचना विनती रंग से रहित नहि मानी जा सकती और निजी उपभोग के लिये लगती है का अनुरोध स्वीकार नहीं किया जा सकता क्योंकि यह भेदभाव पूर्ण है और उसका उपयोग अपने स्वयं के उपभोग के लिए ज्यादा और

104086/2019/Tech

सार्वजनिक हित के लिए कम है जोकि लोक हित से कहीं कम है । फिर भी, विषय मामले पर चल रही जाँच जनहित की सुरक्षा हेतु ही है ।

4.6: माननीय केन्द्रीय जनसूचना आयोग के निर्णय F.No. CIC/AT/A/2010/000611 दिनांक 28.10.2010 के अनुसार दस्तावेजों और अभिलेखों और चल रही जांच से संबंधित जानकारी का कोई खुलासा जाँच प्रक्रिया को बाधित करने की क्षमता रखता है । इसके अलावा जांच अधिकारी के लिए यह सटीक रूप से निर्धारित करना भी संभव नहीं हो सकता है कि अनुरोधित जानकारी का प्रकटीकरण कैसे प्रक्रिया को बाधित करेगा जबकि प्रक्रिया चल रही हो ।

इसके अलावा, जानकारी प्रदान करने से पहले, जनसूचना अधिकारी को चल रही जांच पर जानकारी के प्रकटीकरण के प्रभाव (वास्तविक / संभावित) की जांच करनी होगी, यह ध्यान में रखते हुए कि पूरी जानकारी केवल अन्वेषक (ओं) के पास होनी चाहिए जिस पर कानून ने, योग्यता के आधार पर, निष्कर्ष निकालने के लिए विश्वास सौंपा है । इस प्रकार, अन्वेषक के अलावा अन्य किसी को भी ऐसी जानकारी नहीं दी जानी चाहिए जो चल रही जांच को वास्तविक / संभावित रूप से बाधित कर सके । अर्थात्, यह जरूरी है कि उस व्यक्ति को सूचना नहीं प्रदान करनी चाहिए जो जांच को बाधित करने की क्षमता रखता हो, इस बात का विचार किये बिना, कि चाहे वह व्यक्ति (आरटीआई आवेदक / अपीलकर्ता या कोई अन्य व्यक्ति) सूचना मांग रहा है और स्वयं जांच में मदद करने का दावा करता हो ।

माननीय केन्द्रीय सूचना आयोग ने श्री ए. गंगोपाध्याय बनाम दक्षिण पूर्व मध्य रेलवे के के मामले अपील नंबर CIC/VS/A/2015/001556-BJ में जांच का दायरा विस्तृत किया:

The Commission observes that a full bench of this Commission in its order dated 28/11/2014 in File No.CIC/SM/A/2012/001020 – A K Agrawal V/S SEBI and RIL, had held as under: -

"14. This Commission in its decision dated 10.7.2007 in Appeal No. CIC/AT/A/2007/0007, 10 & 11 (Shankar Sharma & Others Vs. DGIT) observed that the term 'investigation' used in section 8(1)(h) of the Act should be interpreted broadly and liberally and that no investigation could be said to be complete unless it has reached a point where the final decision on the basis of that decision is taken. This Commission in CIC/AT/A/2007/007/00234 – K. S. Prasad vs SEBI, observed that "...as soon as an investigation or an enquiry by a subordinate Enquiry Page 3 of 3 Officer in Civil and Administrative matters comes to an end and, the investigation report is submitted to a higher authority, it cannot be said to be the end of investigation. ... which can be truly said to be concluded only with the decision by the competent authority." This Commission in CIC/DS/A/2013/000138/MP – Narender Bansal vs Oriental Insurance Co. Ltd., has held that the investigation in the matter was complete but further action was under process, and hence it attracted section 8(1)(h) of the Act."

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4.7: विभिन्न न्यायिक मंचों द्वारा पारित विभिन्न निर्णयों के संदर्भ में ऊपर बताई गई कानूनी स्थिति के मद्देनजर, मुझे विश्वास है कि इस मामले में अभी तक जाँच पूरी नहीं हुई है और ऐसी परिस्थितियों में सूचना नहीं देना का केन्द्रीय जनसूचना अधिकारी का तर्क सही है।

5. **आदेश:**

उपरोक्त के मद्देनजर, मैं केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को निर्देश देता हूँ कि जाँच के पूरा होने की तारीख से 3 कार्य दिवसों के भीतर अपीलकर्ता को वांछित जानकारी प्रदान की जाये। तदनुसार अपीलकर्ता द्वारा दायर अपील का निपटारा किया जाता है।

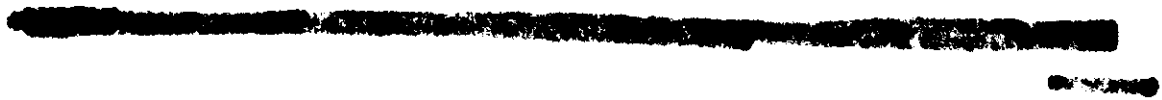
(राजन लाचाला, आईआरएस)
प्रथम अपीलीय प्राधिकारी (आरटीआई)
माल और सेवा कर आयुक्तालय, लुधियाना।

ईमेल / प्रतिलिपि:-

(i) [REDACTED]

[REDACTED]

(ii) केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को सूचना और आवश्यक कार्रवाई के लिए।



84584/2019/Tech

RTI APPEAL DETAILS (आरटीआई अपील विवरण)

Appeal Registration Number (अपील पंजीकरण संख्या) :	GSTCH/A/2019/60012	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	27/07/2019
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या) :	GSTCH/R/2019/50070	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	26/06/2019
Name (नाम) :	[REDACTED]	Gender (लिंग) :	Male
Address (पता) :	[REDACTED]		
Pin code (पिन कोड) :	[REDACTED]		
State (राज्य) :	Punjab	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	+91-[REDACTED]
Email-ID (ईमेल-आईडी) :	[REDACTED]		
Status (स्थिति) :	Rural	Educational Status (शैक्षणिक स्थिति) :	
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	Yes
CPIO Approached (संपर्क सीपीआईओ) :	38028	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided		
Ground for Appeal (अपील का आधार) :	No Response Within the Time Limit		
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ) :	DEAR SIR NO RESPONSE IN WITH LIMIT TIME PLEASE GIVE ME RESPONSE		

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ACTION HISTORY OF RTI REQUEST No.GSTCH/R/2019/50070

84504/2019/Tech

Applicant Name

RAWAIL SINGH

Text of Application



DEAR SIR Centre Jurisdiction FEROZEPUR CANTT (Jurisdictional Office State Jurisdiction Ferozepur - Ward No.4 THIS DEPARTMENT UNDER RESPECTED OFFICER NARINDER KAUR AND BALJIT SINGH FEBRURY 2019 TO JUNE 2019 IN THIS TIME ANY RECEIVE COMPLAINT OR CASE ANY AGAINST GSTIN/UIN PLEASE SIR GIVE THE REPORT

Reply of Application

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	26/06/2019	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	27/06/2019	Nodal Officer	Forwarded To : Sunder Lal Ferozepur
3	REQUEST TRANSFERRED TO OTHER CPIO	02/07/2019	Amanjit Singh GST LDH- (CPIO)	Transferred to CPIO(s) : (1) Sunder Lal Ferozepur

Print

I/34987/2019(1)

	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER मालऔर सेवा कर आयुक्तालय - लुधियाना CENTRAL GOODS AND SERVICES TAX COMMISSIONERATE- LUDHIANA जीएसटी भवन, फ ब्लॉक, ऋषि नगर लुधियाना-141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA-141001 दूरभाष/Phone No. 0161-2679423, फैक्स/Fax No.-0161-2304881 ई-मेल/E-mail: gst.ludhiana@gov.in</p>	
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Date: 26.08.2019

Order-in-Appeal No. : 07 /RTI/GST/Ldh/19

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order).

Brief Facts:

Sh. [REDACTED], (hereinafter referred to as the "appellant"), vide his RTI application dated 26.06.2019 addressed to Central Jurisdiction, Ferozepur Cantt (Jurisdictional Office State Jurisdiction Ferozepur Ward No. 4) received in the Central Public Information Officer, GST Commissionerate, Ludhiana on 27.06.2019 under the Right to Information Act, 2005 (hereinafter referred to as the "Act"), had desired certain information. The officer through RTI-MIS portal has transferred the RTI to the Assistant Commissioner cum CPIO, GST Division Ferozepur, Ludhiana (hereinafter referred to as the "CPIO") on 27.06.2019 under Section 6(3) of RTI Act, 2005.

2. Grounds of Appeal:

The Appellant vide his Appeal dated 27.07.2019 has submitted that no response has been received in respect of his RTI dated 26.06.2019 within time limit.

3. Reply to the Notice by CPIO:

The First Appellate Authority has sought the comments from the CPIO, GST Division Ferozepur, Ludhiana on the appeal filed by the Appellant. The CPIO through RTI-MIS portal on 06.08.2019 has supplied the comments on the Appeal as under:-



I/34987/2019(1)

The matter regarding which information has been sought is not available with their office, RTI request has been transferred to concerned State Tax Office i.e the Assistant Commissioner of Stat Tax-cum-PIO, Ferozepur on 01.08.2019 under Section 6(3) of the RTI Act, 2005 and also informed to the Applicant on 01.08.2019.

The First Appellate Authority vide letter dated 21.08.2019 has asked the CPIO to submit the reasons of lapse why timely action was not taken on the RTI application as per RTI Act, 2005. The CPIO vide letter dated 21.08.2019 submitted that the creation of Ids especially for RTI purpose was not in the knowledge of their office. This fact only came to light when the Joint Commissioner discussed the matter on 01.08.2019. After that necessary action in the matter was taken on 01.08.2019 itself and the RTI application was forwarded to the concerned Assistant Commissioner of State Tax-cum-PIO, Ferozepur. The CPIO further submitted that the delay in the matter was not intentional and the same is regretted and he assured that special attention is being given now to all the RTI applications filed /received on the CPIO Id.

4. Discussion and Findings:

4.1: I have carefully examined the appeal filed by the Appellant, CPIO's reply to notice and relevant provisions of the Act.

4.2: I find that the appellant was aggrieved that no response has been received of his RTI dated 26.06.2019 within time limit. I notice that Section 7 of the Act is applicable in this case and is accordingly reproduced below:

“(1) Subject to proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9.”

Provide that where the information sought for concerns the life of liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.

I/34987/2019(1)

The words '*receipt of the request*' is of paramount significance as it clearly indicates that it is the date of receipt of the request which is to be taken into account for calculating the period of 30 days.

4.3. I observe that Section 6(3) of the Act is also applicable in this case and is accordingly reproduced below:

“Where an application is made to a public authority requesting for an information,-

(i) which is held by another public authority; or

(ii) the subject matter of which is more closely connected with the functions of another public authority,

the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an applicant pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.”

I observe that the RTI application was actually received on 27.06.2019 in the office of the CPIO. Since the RTI filed by the Appellant did not pertain to the CPIO, therefore, as per Section 6(3) of the RTI Act, 2005; the RTI of the Appellant was to be transferred by the CPIO to the concerned authority within five days from the date of receipt of the application and was to be informed to the Appellant also. The CPIO has transferred the RTI application to the concerned authority on 01.08.2019 and informed to the appellant on 01.08.2019 i.e. after 36 days from the receipt of the RTI application {31 days late as per Section 6(3) of the RTI Act, 2005}. Further, I observe that the CPIO was not aware about the ID created on RTI MIS Portal and delay in the matter was not intentional. The CPIO has regretted and assured that special attention is being given now to all the RTI applications filed /received on the CPIO's Id.

Therefore, I do find that though there has been delay in transferring the application to the concerned CPIO and informing the same to the appellant, but the same devoid of any malafide intent on the part of the CPIO.

I/34987/2019(1)

Accordingly, I pass the following order:-

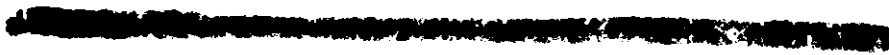
5. **Order:**

Since, CPIO has transferred the RTI application to the concerned authority and also informed the same to the appellant, I hereby direct the CPIO to be cautious in future regarding RTI matters. I dispose off the appeal of the appellant on above lines.

(Rajan Lachala, IRS)
First Appellate Authority (RTI)
GST Commissionerate, Ludhiana.

Speed Post/Online/copy to:-

- i. 
- ii. The CPIO (RTI), GST Division Ferozepur, Ludhiana.



केन्द्रीय गल एवं सेवाकर आयुक्तालय
 CENTRAL GST COMMISSIONERATE
 लुधियाना/Ludhiana
 07 AUG 2019
 प्राप्ति संख्या.....

प्रति,

राजन लाला, (प्रथम अपील अधिकारी)
 संयुक्त आयुक्त
 GST एवं लुधियाना,

विषय : लुधियाना का अधिकृत प्रतिनिध 2005
 के अंतर्गत अपील

कृपया इस पत्र के साथ केन्द्रीय जन लुधियाना अधिकारी के
 आदेश (02108/2019) को संलग्न के रूप में प्राप्त करें
 जिसके विरुद्ध यह अपील दायित्व की जा रही है अपील
 के आधार निम्नवत् है -

① विभिन्न आदेशों में यह स्पष्ट किया जा चुका है कि
 जन लुधियाना अधिकारी को ~~सब~~ के कारण बताते होंगे जिसके
 आधार पर उचित यह निर्णय निकाला कि लुधियाना देने पर
 जोच उचित बाधित है। कुछ आदेश इस प्रकार हैं -

B.S. Mathur Vs Public Information Officer of Delhi High Court
 W.P. (C) 295/2011, W.P. (C) 608/2011 (दिल्ली उच्च-परीषद
 का निर्णय)

Deputy Commissioner of Police Vs D. R. Sharma
 W.P. (C) 12428/2009 & CM (दिल्ली उच्च-परीषद
 का निर्णय)
 APPL 12874/2009

The Superintendent of Police Vs R. Karthikeyan
 निर्णयित 12/01/2010
 W.P. No. 23507 एवं 23508/2009 / Madras High Court

Secretary to Government Vs S. Suresh Babu
 निर्णयित 13/04/2010

Central Board of Direct Taxes Vs Satyraj Naranshekhya

दिनांक 19/02/2018

माननीय दिल्ली उच्च न्यायालय

Bhagat Singh Vs Chief Information Commissioner

दिनांक 03/12/2017 (दिल्ली उच्च न्यायालय)

इसके अतिरिक्त भी अन्य बहुत सारे आदेश हैं।

स्पष्ट है कि केंद्रीय जनसूचना अधिकारी + अदालत की अवमानना की है। इस प्रकार धारा 8(1) के तहत निधिविवाद है।

② जिस व्यक्ति ने पुस्तक उठाया, जिस व्यक्ति ने यह शिकायत की कि शुनील सिंह रिटिंग (आयुक्त) विजली कर का भुगतान नहीं कर रहे हैं तथा वह भुगतान लुपिपाना आयुक्तालय कर रहा है, उसी व्यक्ति को सूचना न देना नैतिक दृष्टिकोण के अलावा कुछ नहीं है। वह व्यक्ति जिसे पुस्तक उठाया, जिसे लिखित शिकायत की गई और कोई नहीं, मैं भी हूँ। मैं ही लुपिपाना आयुक्तालय को पत्रों द्वारा उनका जागरूक कर रहा हूँ, अतः पुस्तक उठाने से जॉयल प्र. सहायता मिलेगी, न कि कार्य।

③ मेरी जानकारी के अनुसार पिछले माह लुपिपाना आयुक्तालय ने विजली कर वाली सम्बन्धी पत्र लिखा था जो इस बात का प्रमाण है कि इससे कम उतनी जॉयल तो पूरी ही पुस्तक जिसे मैंने उतनी का उत्तर किया है।

७ मेरे उशन म्यासे (पीडनील रिंड) कटियाल के चले लगा
 भीरल मुल्ल भीरल है या सब भीरल P मडि एक भीरल
 है तो म्या मडे लुधियाग आयुम्लमन के मुल्ल भीरल है मुंडा ?
 इत उशन का उल्लर 15-20 मिनट से जौल से भी
 स्पष्ट हो जाव। पर 45 दिनों से जौल से मड क्लर
 नही हो पाव कि भीरल लगा कि नही, एक भीरल है या
 मुल्ल भीरल। एक भीरल कि मुल्ल भीरल से मुंडा। इतम
 सीधा लालम है कि लुधियाग आयुम्लमन जौल। शब्द
 का दुलपयोग मडे पीडनील रिंड कटियाल को लयाने से
 लगा है।

उपरोक्त आधार पर कालनिड मूल्य का अधिकार
 अधिनियम 2005 एवं अंशानती निर्णयों के अलावा से
 आपसे अपुरोध है कि मेरी इन अपील का निवारण
 करें।

06/08/2019
 श्री अ. व. लिंगा

[Redacted signature area with multiple thick black bars]

[REDACTED]

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	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: gst.ludhiana@gov.in</p>	
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Hindi version of OIA No. 09/RTI/GST/Ludhiana/19 dated 05.09.2019

अपील-में-आदेश संख्या: 09/आरटीआई/जीएसटी/लुधियाना/19 दिनांक: 05.09.2019 का हिन्दी संस्करण

अपील-में-आदेश संख्या: 09/आरटीआई/जीएसटी/लुधियाना/19

(इस आदेश के विरुद्ध अपील केंद्रीय सूचना आयोग, ब्लॉक नंबर 5 (5 वीं मंजिल), ओल्ड जेएनयू कैम्पस, नई दिल्ली में है। यह प्रतिलिपि व्यक्ति को उसके व्यक्तिगत उपयोग के लिए मुफ्त में जारी की जाती है। इस आदेश से व्यथित व्यक्ति इस आदेश की प्राप्ति के 90 दिनों के भीतर अपीलीय प्राधिकरण में अपील दायर कर सकता है।)

संक्षिप्त तथ्य:

[REDACTED] (इसके बाद "अपीलकर्ता" के रूप में संदर्भित), ने अपने आरटीआई आवेदन दिनांक 05.07.2019 द्वारा सूचना का अधिकार अधिनियम, 2005 के तहत कुछ जानकारी मांग रहे हैं।

2. अपील के आधार:

2.1: केन्द्रीय जनसूचना अधिकारी ने अपने कार्यालय पत्र File No.TECH-RTI0APP/197/2019-HQ-GST-LDH/ I/31109/2019 दिनांक 02.08.2019 के अनुसार आरटीआई आवेदन का निम्न उत्तर दिया था:

इस कार्यालय के अंतर्गत मौजूद जानकारी के अनुसार पैरा 1-4 के सम्बन्ध में ये प्रस्तुत किया जाता है की मांगी गयी सूचना को सूचना के अधिकार अधिनियम 2005 के अनुभाग 8(1)(h) के अंतर्गत देने से इंकार किया जाता है क्योंकि आबंटियों को बिजली के मीटर तथा बिल जारी करने /वसूली बिल जारी करने के बारे में केंद्रीय माल और सेवा कर आयुक्तालय की सतर्कता शाखा द्वारा जांच की जा रही है एवं जब तक जांच पूरी नहीं हो जाती, तब तक सम्बंधित जानकारी साँझा नहीं की जा सकती और न ही वांछित फाइल

[REDACTED]

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की निरीक्षण करने की अनुमति दी जा सकती है, क्योंकि इससे जांच की प्रक्रिया बाधित हो सकती है।

2.2: संतुष्ट नहीं होने के कारण अपीलकर्ता ने दिनांक 06.08.2019 (जो कार्यालय में 07.08.2019 को प्राप्त हुई) को निम्नलिखित आधार पर एक अपील दायर की है:

(1) विभिन्न आदेशों में यह स्पष्ट किया जा चुका है कि जनसूचना अधिकारी को वे कारण बताने होंगे जिसके आधार पर उन्होंने यह निष्कर्ष निकला कि सूचना देने पर जांच प्रक्रिया बाधित हो सकती है। कुछ आदेश निम्न प्रकार हैं –

B.S. Mathur Vs Public Information officer of Delhi High Court W.P. (C) 295/2011, W.P. (C) 608/2011 (दिल्ली उच्च न्यायालय निर्णय)
Deputy Commissioner of Police Vs D.K. Sharma W.P. (C) 12428/2009 & C.M. APPL 12874/2009 (दिल्ली उच्च न्यायालय निर्णय)
The Supdt. Of Police Vs R. Karthikeyan दिनांकित 12/01/2010 W.P. No. 23507 एवं 2358 of 2009 (Madras High Court)
Secretary to government Vs S. Suresh Babu दिनांकित 13/04/2010
Central Board of Direct Tax Vs. Satya Narain Shukla दिनांकित 19/02/2018 (माननीय दिल्ली उच्च न्यायालय)
Bhagat Singh Vs Chief Information Commissioner दिनांकित 03/12/2007 (दिल्ली उच्च न्यायालय)

इसके अतिरिक्त भी बहुत सारे आदेश हैं।

स्पष्ट है कि केन्द्रीय जन सूचना अधिकारी ने अदालत की अवमाना की है। इस प्रकार धरा 8(1) (h) का लगाना विधि विरुद्ध है।

(2) जिस व्यक्ति ने मुद्दा उठाया, जिस व्यक्ति ने यह शिकायत की कि सुनील सिंह कटियार (आयुक्त) बिजली कर का भुगतान नहीं कर रहे हैं तथा वह भुगतान लुधियाना आयुक्तालय कर रही है, उसी व्यक्ति को सूचना न देना बोद्धिक बेईमानी के आलावा कुछ नहीं है। वह व्यक्ति जिसने मुद्दे को उठाया, जिसने लिखित शिकायत की वह और कोई और नहीं, मैं ही हूँ। मैं ही लुधियाना आयुक्तालय को पत्रों द्वारा उनका मार्ग दर्शन कर रहा हूँ, अतः मुझे सूचना देने से जांच में सहायता मिलेगी न कि बाधा।

(3) मेरी जानकारी के अनुसार पिछले माह लुधियाना आयुक्तालय ने बिजली कर वसूली संबंधी पात्र लिखा था जो इस बात का प्रमाण है कि कम से कम उतनी जांच तो पूरी हो चुकी जिसमें मेरे प्रश्नों का उत्तर मिल सके। मेरे प्रश्न क्या थे? श्री सुनील सिंह कटियार के घर लगा मीटर मुख्य मीटर है या सब मीटर है। यदि सब मीटर है तो क्या यह लुधियाना आयुक्तालय के मुख्य मीटर से जुड़ा? इन प्रश्नों का उत्तर १५-२०

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मिनट की जांच में ही स्पष्ट हो जाता । पर ४५ दिनों से जांच में यह स्पष्ट नहीं हो पाया कि मीटर लगा कि नहीं, सब मीटर है या मुख्य मीटर । सब मीटर किस मुख्य मीटर से जुड़ा । इसका सीधा तात्पर्य है कि लुधियाना आयुक्तालय "जांच" शब्द का दुरुपयोग कर सुनील सिंह कटियार को बचने में लगा है।

उपरोक्त आधार पर वास्तविक सूचना का अधिकार अधिनियम, २००५ एवं अदालती निर्णयों के आलोक में आपसे अनुरोध है कि मेरी इस अपील का निस्तारण करें ।

3. केन्द्रीय जनसूचना अधिकारी द्वारा नोटिस का जवाब:

अपीलकर्ता द्वारा दायर अपील पर टिप्पणी प्रदान करने के लिए केन्द्रीय जनसूचना अधिकारी को :3.1 पत्र सं . File No. TECH-RTI0APL/31/2019-HQ-GST-LDH//32360/2019 दिनांक 08.08.2019 के द्वारा एक नोटिस जारी किया गया था। इस सन्दर्भ में केन्द्रीय जनसूचना अधिकारी ने अपने पत्र सं. File No.TECH-RTI0APP/197/2019-HQ-GST-LDH दिनांक 04.09.2019 के द्वारा :नोटिस पर निम्न टिप्पणियां प्रदान की हैं

I: आवेदक यानी, श्री सोमेश तिवारी द्वारा मांगी गई जानकारी सूचना का अधिकार अधिनियम, 2005 की धारा 8(1)(h) के संदर्भ में आपूर्ति नहीं की जा सकती है क्योंकि फ्लैट टाइप IV और V के रहने वालों द्वारा बिजली शुल्क का भुगतान नहीं करने से संबंधित मामला सतर्कता समिति के अंतर्गत जांच के अधीन है , जिसका गठन केन्द्रीय माल और सेवा कर आयुक्तालय, लुधियाना में आयुक्तालय स्तर पर किया गया था ।

II: जाँच पड़ताल अभी भी प्रारंभिक अवस्था में है। इन तीन आवासीय फ्लैटों H.No 1 (टाइप V), H.No 2 (टाइप V) और H.No 3 (टाइप IV) जोकि 2003 से जीएसटी भवन, ऋषि नगर, लुधियाना में स्थित है में लगे उप -मीटर के विवरण/PSPCL के लगाए गए/हटाये गए मीटर के बारे में पता लगाना/पूछताछ अभी बाकी है । ऐसी जानकारी कि किस तारीख पर ये मीटर लगाए गए , हटाये गए, प्रशासन शाखा द्वारा बिल उठाने या न उठाने के कारण , गैर भुगतान के कारण, लोड की गणना न करना और रहने वालों आदि द्वारा किया गया बिजली शुल्क का भुगतान अभी तक सत्यापित नहीं किया गया है। केवल कुछ मामलों में प्रशासन शाखा , केन्द्रीय मॉल और सेवा कर आयुक्तालय, लुधियाना द्वारा बिल इजाद किये गए हैं। उन सभी अधिकारियों के नाम जिन्हें 2003 से इन घरों को आवंटित किया गया था या मीटर से संबंधित मामला डील किया गया था और बिल आदि जुटाने में असफल रहे थे का पता लगाया जा रहा है और बिलों का भुगतान न करने के संबंध में पूरी जांच की जा रही है।

III: आवेदक एक विशेष अधिकारी के बारे में जानकारी मांग रहा है जबकि सतर्कता शाखा पूरे मामले और इस मामले से जुड़े दर्जनों अधिकारियों की जांच कर रही है। किसी भी एक अधिकारी से संबंधित इस स्तर पर जानकारी देने से जांच की दिशा का खुलासा हो सकता है , संवेदनशील क्षेत्रों का भी खुलासा हो सकता है जो कि अपराधी अधिकारी, यदि कोई हो, उसका शोषण कर सकता है।

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IV. इसके अलावा आवेदक अपने विभिन्न पत्रों के माध्यम से इस आयुक्तालय /क्षेत्र के विभिन्न अधिकारियों और सतर्कता महानिदेशालय से की जा रही जांच पर भी सवाल उठा रहा है। पत्रों का विवरण निम्नानुसार है:

अनु क्रमांक	पत्र दिनांक	टिप्पणियाँ
(i)	01.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने कहा कि यह मामला श्री सुनील कुमार कटियार से संबंधित है, इसलिए आयुक्त को तथ्यों से छेड़छाड़ नहीं करनी चाहिए।
(ii)	04.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं संयुक्त आयुक्त (का. एवं सत.) और केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने कहा कि उसके द्वारा मांगी गई जानकारी बहुत आसान है जिसकी एक दिन की अवधि में आपूर्ति की जा सकती थी, यदि सूचना आपूर्ति करने का इरादा हो। उन्होंने फिर कहा कि यह सुनिश्चित किया जाये कि तथ्यों के साथ छेड़छाड़ न हो।
(iii)	15.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने कहा कि जिस तरह से उसकी आरटीआई के सवाल का जवाब केन्द्रीय जनसूचना अधिकारी ने दिया है, यह स्पष्ट है कि लुधियाना आयुक्तालय श्री सुनील सिंह कटियार को बचाने के लिए दृढ़ संकल्पित है। उन्होंने आगे आरोप लगाया कि केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना श्री सुनील सिंह कटियार के प्रति कानून से अधिक प्रतिबद्ध हैं। उन्होंने आगे आरोप लगाया कि प्रशासनिक शाखा के कुछ अधिकारियों को बलि का बकरा बनाकर इस मामले को निपटाने की कोशिश की जा रही है ताकि श्री सुनील सिंह कटियार को बचाया जा सके।
(iv)	16.07.2019	इस पत्र में प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना को संबोधित किया गया है एवं मुख्य आयुक्त, माल और सेवा कर जोन, चंडीगढ़ और संयुक्त आयुक्त (का. एवं सत.), माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने माल और सेवा कर आयुक्तालय, लुधियाना के स्तर पर गठित एक टीम द्वारा एक फिल्म की पटकथा के रूप में जांच की जा रही है, जहां प्रशासनिक शाखा से कुछ अधिकारियों को बलिदान करने का प्रयास किया जा रहा है ताकि वास्तविक अपराधी को बचाया जा सके। उन्होंने आगे कहा कि केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना श्री सुनील सिंह कटियार को बचाने के लिए पागल हो गए हैं और वह कानून और अदालती फैसलों की अवमानना करने से भी नहीं चूकते। आवेदक ने आगे कहा कि माल और सेवा कर आयुक्तालय, लुधियाना के स्तर पर शुरू की गई जांच को

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		वापस लिया जाए और मामले को DGoV द्वारा पूछताछ करने दिया जाए।
(v)	17.07.2019	<p>इस पत्र में निदेशक DGoV, नई दिल्ली को संबोधित किया गया है, प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना, संयुक्त आयुक्त (का. एवं सत.) और केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को एक प्रति के साथ, आवेदक ने आरोप लगाया कि श्री सुनील कटियार, आयुक्त को बचाने के लिए माल और सेवा कर आयुक्तालय, लुधियाना में कुछ रणनीति बनाई गई है। उन्होंने आरोप लगाया कि प्रधान आयुक्त, माल और सेवा कर आयुक्तालय, लुधियाना आवेदक द्वारा लिखे गए पत्रों का उत्तर न देकर रणनीति के पहले छोर पर काम कर रहे हैं; केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना आवेदक को सूचना न देने के लिए एक बहाने के रूप में 'जांच' शब्द का उपयोग करके रणनीति के दूसरे छोर पर काम कर रहा है।</p> <p>आवेदक ने फिर आरोप लगाया कि केन्द्रीय जनसूचना अधिकारी के लिए श्री सुनील सिंह कटियार कानून से ऊपर हैं। उन्होंने आगे आरोप लगाया कि रणनीति का तीसरा सिरा प्रशासनिक अनुभाग से किसी अधिकारी पर सारा दोष डालकर श्री सुनील सिंह कटियार को बचाना है। उन्होंने आगे आरोप लगाया कि रणनीति का चौथा छोर श्री सुनील सिंह कटियार पर कर चोरी के सम्बन्ध में कोई कार्यवाही किये बिना उनसे कुछ पैसे जमा करवाके संतुष्ट करना है।</p>

उपर्युक्त तथ्य प्रथम दृष्टया यह स्पष्ट करते हैं कि आवेदक जांच प्रक्रिया को बाधित करने और विनियमित करने की कोशिश कर रहा है जो एक प्रारंभिक अवस्था में है।

V. किसी एक विशेष अधिकारी के बारे में बार-बार कम समय में जानकारी मांगना उस विशेष अधिकारी के प्रति उनके पक्षपात को स्पष्ट रूप से दर्शाता है और आवेदक द्वारा किसी भी सार्वजनिक हित को स्पष्ट/व्याख्या नहीं किया गया है। इस तरह, अपीलकर्ता जांच को प्रभावित / बाधित करने की कोशिश कर रहे हैं। उपरोक्त के मद्देनजर, आवेदक को किसी भी जानकारी की आपूर्ति करना आयुक्तालय द्वारा की जा रही जांच को खतरे में डाल सकता है और इसलिए आवेदक द्वारा मांगी गई जानकारी को आरटीआई अधिनियम, 2005 की धारा 8(1)(h) के संदर्भ में अस्वीकार कर दिया जाना चाहिए।

4. चर्चा और निष्कर्ष:

4.1: मैंने अपीलार्थी द्वारा दायर अपील, केन्द्रीय जनसूचना अधिकारी के नोटिस और अधिनियम से सम्बंधित प्रावधानों की सावधानीपूर्वक जांच की है। मेरे द्वारा पाया गया है कि अपीलकर्ता वांछित जानकारी प्रदान नहीं किये जाने से व्यथित है। सूचना को सूचना का अधिकार अधिनियम, 2005 की धारा 8(1)(h) के तहत आवेदक को आपूर्ति करने से इनकार किया गया है। सूचना का अधिकार अधिनियम,

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2005 की धारा 8(1)(ज) के अनुसार, सूचना, जिससे अपराधियों के अन्वेषण, पकड़े जाने या अभियोजन की प्रक्रिया में अड़चन पड़ेगी; उस जानकारी का खुलासा करने की छूट है।

सूचना का अधिकार अधिनियम 2005 की धारा 8 (1) (h) में प्रयुक्त शब्द 'जांच' की व्याख्या मोटे तौर पर और उदारतापूर्वक की जानी चाहिए। इस प्रकार, किसी भी जाँच को तब तक पूर्ण नहीं कहा जा सकता जब तक कि वह उस स्तर पर न पहुँच जाए जहाँ उस जाँच के आधार पर अंतिम निर्णय लिया जाता है। जो मामला जांच के सभी चरणों से गुजर जाये उसे ही सही मायने में पूरा कहा जा सकता है। कार्यवाही के अंतिम निष्कर्ष से पहले किसी भी स्तर पर प्रारंभिक जांच से जुड़ी जानकारी का कोई भी खुलासा, यदि कोई हो, तो सार्वजनिक प्राधिकरण के मामले के लिए हानिकारक होगा, विशेष रूप से तथाकथित सफेद कॉलर अपराधों की जांच में जहाँ कार्रवाई अच्छी तरह से परिभाषित नहीं है और प्रायः जाँच इधर – उधर चल रही हो जब तक अंतिम तस्वीर नहीं उभरती।

4.2: माननीय केन्द्रीय सूचना आयोग के निर्णय F.No. CIC/AT/A/2010/000611 दिनांक 28.10.2010 के अनुसार दस्तावेजों और अभिलेखों और चल रही जांच से संबंधित जानकारी का कोई खुलासा जाँच प्रक्रिया को बाधित करने की क्षमता रखता है। इसके अलावा जांच अधिकारी के लिए यह सटीक रूप से निर्धारित करना भी संभव नहीं हो सकता है कि अनुरोधित जानकारी का प्रकटीकरण कैसे प्रक्रिया को बाधित करेगा जबकि प्रक्रिया चल रही थी।

4.3: इसके अलावा, केन्द्रीय जनसूचना अधिकारी की टिप्पणियां (जैसे कि ऊपर पैरा 3.1 (IV) एवं (V) में लिखित है) से यह प्रकट होता है /पता चलता है कि सूचना के लिए अपीलकर्ता की सूचना-विनती रंग से रहित नहीं मानी जा सकती और निजी उपभोग के लिये लगती है जोकि लोक हित से कहीं कम है। फिर भी, विषय मामले पर चल रही जाँच जनहित की सुरक्षा हेतु ही है।

4.4: माननीय केन्द्रीय सूचना आयोग के निर्णय F.No. CIC/AT/A/2010/000611 दिनांक 28.10.2010 के अनुसार दस्तावेजों और अभिलेखों और चल रही जांच से संबंधित जानकारी का कोई खुलासा जाँच प्रक्रिया को बाधित करने की क्षमता रखता है। इसके अलावा जांच अधिकारी के लिए यह सटीक रूप से निर्धारित करना भी संभव नहीं हो सकता है कि अनुरोधित जानकारी का प्रकटीकरण कैसे प्रक्रिया को बाधित करेगा जबकि प्रक्रिया चल रही थी।

इसके अलावा, जानकारी प्रदान करने से पहले, जनसूचना अधिकारी को चल रही जांच पर जानकारी के प्रकटीकरण के प्रभाव (वास्तविक / संभावित) की जांच करनी होगी, यह ध्यान में रखते हुए कि पूरी

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जानकारी केवल अन्वेषक (ओं) के पास होनी चाहिए जिस पर कानून ने, योग्यता के आधार पर, निष्कर्ष निकालने के लिए विश्वास सौंपा है। इस प्रकार, अन्वेषक के अलावा अन्य किसी को भी ऐसी जानकारी नहीं दी जानी चाहिए जो चल रही जांच को वास्तविक / संभावित रूप से बाधित कर सके। अर्थात्, यह जरूरी है कि उस व्यक्ति को सूचना नहीं प्रदान करनी चाहिए जो जांच को बाधित करने की क्षमता रखता हो, इस बात का विचार किये बिना, कि चाहे वह व्यक्ति (आरटीआई आवेदक / अपीलकर्ता या कोई अन्य व्यक्ति) सूचना मांग रहा है और स्वयं जांच में मदद करने का दावा करता हो।

माननीय केन्द्रीय सूचना आयोग ने श्री ए. गंगोपाध्याय बनाम दक्षिण पूर्व मध्य रेलवे के के मामले अपील नंबर CIC/VS/A/2015/001556-BJ में जांच का दायरा विस्तृत किया:

The Commission observes that a full bench of this Commission in its order dated 28/11/2014 in File No.CIC/SM/A/2012/001020 – A K Agrawal V/S SEBI and RIL, had held as under: -

"14. This Commission in its decision dated 10.7.2007 in Appeal No. CIC/AT/A/2007/0007, 10 & 11 (Shankar Sharma & Others Vs. DGIT) observed that the term 'investigation' used in section 8(1)(h) of the Act should be interpreted broadly and liberally and that no investigation could be said to be complete unless it has reached a point where the final decision on the basis of that decision is taken. This Commission in CIC/AT/A/2007/007/00234 – K. S. Prasad vs SEBI, observed that "...as soon as an investigation or an enquiry by a subordinate Enquiry Page 3 of 3 Officer in Civil and Administrative matters comes to an end and, the investigation report is submitted to a higher authority, it cannot be said to be the end of investigation. ... which can be truly said to be concluded only with the decision by the competent authority." This Commission in CIC/DS/A/2013/000138/MP – Narender Bansal vs Oriental Insurance Co. Ltd., has held that the investigation in the matter was complete but further action was under process, and hence it attracted section 8(1)(h) of the Act."

4.5: विभिन्न न्यायिक मंचों द्वारा पारित विभिन्न निर्णयों के संदर्भ में ऊपर बताई गई कानूनी स्थिति के मद्देनजर, मुझे विश्वास है कि इस मामले में अभी तक जांच पूरी नहीं हुई है और ऐसी परिस्थितियों में सूचना नहीं देना का केन्द्रीय जनसूचना अधिकारी का तर्क सही है।

5. आदेश:

उपरोक्त के मद्देनजर, मैं केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना

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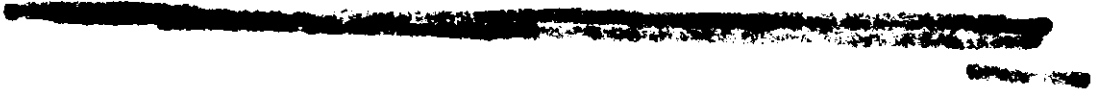
को निर्देश देता हूँ कि जाँच के पूरा होने की तारीख से 3 कार्य दिवसों के भीतर अपीलकर्ता को वांछित जानकारी प्रदान की जाये। तदनुसार अपीलकर्ता द्वारा दायर अपील का निपटारा किया जाता है।

(राजन लाचाला, आईआरएस)
प्रथम अपीलीय प्राधिकारी (आरटीआई)
माल एवं सेवा कर आयुक्तालय, लुधियाना।

ईमेल / प्रतिलिपि:-

(i)

(ii) केन्द्रीय जनसूचना अधिकारी, माल और सेवा कर आयुक्तालय, लुधियाना को सूचना और आवश्यक कार्रवाई के लिए।



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8/26/2019
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RTI APPEAL DETAILS (आरटीआई अपील विवरण)	
Appeal Registration Number (अपील पंजीकरण संख्या):	GSTCH/A/2019/60014
RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि):	21/08/2019
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	GSTCH/R/2019/50083
RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख):	11/08/2019
Name (नाम):	[REDACTED]
Gender (लिंग):	Male
Address (पता):	[REDACTED]
Pin code (पिन कोड):	152023
State (राज्य):	Punjab
Country (देश):	India
Phone Number (फोन नंबर):	Details not provided
Mobile Number (मोबाइल नंबर):	[REDACTED]
Email-ID (ईमेल-आईडी):	[REDACTED]
Status (स्थिति):	Rural
Educational Status (शैक्षणिक स्थिति):	
Citizenship Status (नागरिकता):	Indian
Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?):	No
CPIO Approached (संपर्क सीपीआईओ):	38028
Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख):	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या):	Details not provided
Ground for Appeal (अपील का आधार):	Provided Incomplete, Misleading or False Information
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ):	i am also second party not a third

JTS.P. (R-1)
 Pl. call comments from
 Concerned JAC
 SP
 26/8/19

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ACTION HISTORY OF RTI REQUEST No.GSTCHR/2019/50083

Applicant Name [REDACTED]
Text of Application DEAR SIR Centre Jurisdiction FEROZEPUR CANTT (Jurisdictional Office State Jurisdiction Ferozepur - Ward No.4 THIS GSTIN/JIN 03ARJPM9188M1Z1 PLEASE GIVE ME GST3B PLEASE SIR GIVE THIS REPORT (1) this report GSTR1 This Financial Year 2018-2019 tax period time March date of filing 27-06-19 (2) this report GSTR3B This Financial Year 2018-2019 tax period time March date of filing 23/04/2019
Reply of Application CONCERNED ASSESSEE (GSTIN/JIN [REDACTED]) HAS NOT GIVEN HIS CONSENT TO GIVE HIS INFORMATION TO THRD PARTY.

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	11/06/2019	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	16/08/2019	Nodal Officer	Forwarded To : Sunder Lal Ferozepur
3	REQUEST DISPOSED OF	21/06/2019	Sunder Lal Ferozepur- (CPIO)	

██████████

██████████

I/39742/2019

	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, रूषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: gst.ludhiana@gov.in</p>	
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Date:19.09.2019

Order-in-Appeal No. : 10 /RTI/GST/Ldh/19

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order).

Brief Facts:

Sh. [REDACTED], (hereinafter referred to as the "appellant"), vide his RTI application dated 11.08.2019 addressed to Central Jurisdiction, Ferozepur Cantt (Jurisdictional Office State Jurisdiction Ferozepur Ward No. 4) received in the Central Public Information Officer, Goods & Service Tax Division, Ferozepur (hereinafter referred to as the "CPIO") on 16.08.2019 under the Right to Information Act, 2005 (hereinafter referred to as the "Act"), had desired certain information.

2. Grounds of Appeal:

That the Nodal Officer through RTI-MIS portal has transferred the RTI to the concerned CPIO i.e. the Assistant Commissioner cum CPIO, GST Division Ferozepur, Ludhiana on 16.08.2019 under Section 6(3) of RTI Act, 2005 requesting to supply the information of the RTI direct to the applicant. The Appellant vide his Appeal dated 21.08.2019 has submitted that he has been provided incomplete, misleading or false information in respect of his RTI dated 11.08.2019.

3. Reply to the Notice by CPIO:

The First Appellate Authority vide Notice File No. TECH-RTI0APL/34/2019-HQ-GST-LDH/ I/34962/2019 dated 26.08.2019 has sought the comments from the CPIO, GST Division Ferozepur, Ludhiana on the appeal filed by the Appellant. The CPIO through RTI-MIS portal on 26.08.2019 has supplied the comment on the Appeal as under:-



I/39742/2019

Following information was sought from this office. "Dear Sir Centre Jurisdiction Ferozpur Cantt (Jurisdictional Office State Jurisdiction Ferozpur -Ward No. 4 This [REDACTED] please give me GST3B please Sir give this report (1) this report GSTR1 this financial year 2018-19 tax period time March date of filing 27-06-19 (2) this report GSTR3B this financial year 2018-19 tax period time March date of filing 23/04/2019" This GSTIN/UIN 03ARJPM9188M1Z1 belong to M/s Madaan Marbles, Guru Harsahaj. The assessee was requested to give its consent on the issue of disclosure of its information vide letter dated 21.08.2019 (sent thru email) in reference to RTI dated 11.08.2019 (received in office on 16.08.2019). In reference to it the assessee vide email dated 21.08.2019 intimated as under "kindly don't share our personal information with anybody except GST department." On the basis of this email information sought was denied." The CPIO vide letter dated 21.08.2019 replied to the applicant as under:

"In this context, it is informed that the concerned assessee (GSTIN No. [REDACTED] has not given his consent to give any information to a third party citing Section 11(i) of the RTI Act, 2005."

4. Discussion and Findings:

4.1: I have carefully examined the appeal filed by the Appellant, CPIO's reply to notice and relevant provisions of the Act. I find that the appellant was aggrieved that he has been provided incomplete, misleading or false information in respect of his RTI dated 11.08.2019. The CPIO vide letter C.No. IV(16)Div/Tech/FZR/RTI/01/2017/861 dated 21.08.2019 has denied to supply the information to the applicant under Section 11 (1) of the RTI Act, 2005 which is reproduced below:

"Where a Central Public Information Officer or the State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party. the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the

[REDACTED]

[REDACTED]

I/39742/2019

information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information: Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.”

4.2: It is clearly stated at Section 11(1) that submission of third party shall be kept in view while taking a decision about disclosure of information. Section 11 does not give a third party an unrestrained veto to refuse disclosing information. It only gives the third party an opportunity to voice its objections to disclosing information. The CPIO will keep these in mind and denial of information can only be on the basis of exemption under Section 8 (1) of the RTI act.

4.3: Section 8 of the Act exclusively provides the exemption from disclosure of information. The Section 8(1) (d) & (j) are reproduced below:

Section 8 (1) (d) & (j):-----

- (d)- *information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;*
- (j) *information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:*

While going through the appeal filed by the appellant, I find that there is no larger public interest involved in disclosing the information sought by the appellant and the information if disclosed might cause unwarranted invasion of the privacy of the individual, about whom the information is being sought by the appellant. Therefore, I hold that the

I/39742/2019

decision of the CPIO in the present case is justified and holds good, however, I direct the CPIO that in future consent of the third party, if necessary, be asked as per Section 11 of the Act but denial of information can only be on the basis of exemption under Section 8 (1) of the Act.

5. **Order:**

In view of above, I reject the appeal filed by the appellant.

(Rajan Lachala)
Joint Commissioner cum
First Appellate Authority (RTI)

Speed Post/copy/Online/email to:-

- (i) 
- (ii) The Assistant Commissioner cum CPIO, GST Division Ferozepur, Ludhiana.

[REDACTED]

98008/2019/Tech

RTI APPEAL DETAILS (आरटीआई अपील विवरण)			
Appeal Registration Number (अपील पंजीकरण संख्या):	GSTCH/A/2019/60015	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि):	29/08/2019
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	GSTCU/R/2019/50084	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख):	16/08/2019
Name (नाम):	[REDACTED]	Gender (लिंग):	Male
Address (पता):	[REDACTED]		
Pin code (पिन कोड):	152023		
State (राज्य):	Punjab	Country (देश):	India
Phone Number (फोन नंबर):	Details not provided	Mobile Number (मोबाईल नंबर):	-91-[REDACTED]
Email-ID (ईमेल-आईडी):	[REDACTED]		
Status (स्थिति):	Rural	Educational Status (शैक्षणिक स्थिति):	
Citizenship Status (नागरिकता):	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?):	No
CPIO Approached (संपर्क सीपीआईओ):	38028	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश/निर्णय के रसीद की तारीख):	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश/निर्णय संख्या):	Details not provided		
Ground for Appeal (अपील का आधार):	Provided incomplete, Misleading or False Information		
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ):	misleading information		

[REDACTED]

[REDACTED]

[REDACTED]

ACTION HISTORY OF RTI REQUEST No.GSTCH/R/2019/S0084

Applicant Name JAGJEET SINGH

Text of Application DEAR SIR Centre Jurisdiction FEROZEPUR Office State Jurisdiction 1 Ferozepur - HOW MANY WARD IN FEROZEPUR , WARD NAME (1MARCH 2019 TO 30 APRIL 2019)IN THIS PERIOD 2 HOW MANY OFFICER WORK IN ONE- ONE WARD PLEASE GIVE THE PROPER DETAIL , DESTINATION NAME 3 Ferozepur - HOW MANY WORK OFFICER IN WARD NO 4 PLEASE GIVE THE PROPER DETAIL EMPLOYEE NAME , DESTINATION,EMPLOYEE PERMANENT GOVERNMENT MOBILE NO, ADDRESS (1MARCH 2019 TO 30 APRIL 2019)IN THIS PERIOD 4 HOW MANY WORK OFFICER IN FEROZEPUR PLEASE GIVE THE PROPER DETAIL EMPLOYEE NAME , DESTINATION,EMPLOYEE PERMANENT GOVERNMENT MOBILE NO, ADDRESS (1MARCH 2019 TO 30 APRIL 2019) IN THIS PERIOD PLEASE SIR GIVE THE REPORT

Reply of Application YOUR REQUEST HAS BEEN TRANSFERRED TO ASSISTANT COMMISSIONER OF STATE TAX-CUM-PIO, FEROZEPUR.

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	15/08/2019	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	19/08/2019	Nodal Officer	Forwarded To : Sunder Lal Ferozepur
3	REQUEST DISPOSED OF	21/08/2019	Sunder Lal Ferozepur- (CPIO)	

[Print](#)

	<p style="text-align: center;">कार्यालय प्रधान आयुक्त OFFICE OF THE PRINCIPAL COMMISSIONER माल और सेवाकर आयुक्तालय, लुधियाना GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA जीएसटी भवन, एफ-ब्लॉक, ऋषि नगर, लुधियाना- 141001 GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001 दूरभाष/TELE: 0161-2679415 फैक्स/FAX: 0161-2304881; ई-मेल/Email: tech-gstldh@gov.in</p>	
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दिनांक: 20.09.2019

Order-in-Appeal No. : 11 /RTI/GST/Ldh/19

(An appeal against this order lies to the Central Information Commission, Block No. 5 (5th Floor), Old JNU Campus, New Delhi. This copy is issued to the individual for his/her personal use free of cost. The person feeling aggrieved with this order can file appeal to the Appellate Authority within 90 days of the receipt of this order).

Brief Facts:

Sh. [REDACTED], (hereinafter referred to as the "appellant"), vide his RTI application dated 16.08.2019 addressed to Central Jurisdiction Ferozepur Office State Jurisdiction received in the Central Public Information Officer, Goods & Service Tax Division, Ferozepur (hereinafter referred to as the "CPIO") on 19.08.2019 under the Right to Information Act, 2005 (hereinafter referred to as the "Act"), had desired certain information.

2. Grounds of Appeal:

That the Nodal Officer through RTI-MIS portal has transferred the RTI to the concerned CPIO i.e. the Assistant Commissioner cum CPIO, GST Division Ferozepur, Ludhiana on 19.08.2019 under Section 6(3) of the Act. The Appellant vide his Appeal dated 21.08.2019 has submitted that he has been provided incomplete, misleading or false information in respect of his RTI dated 16.08.2019.

3. Reply to the Notice by CPIO:

The First Appellate Authority vide Notice File No.TECH-RTI0APL/36/2019-HQ-GST-LDH/ I/36953/2019 dated 04.09.2019 has sought the comments from the CPIO, GST Division Ferozepur, Ludhiana on the appeal filed by the Appellant. The CPIO through RTI-MIS portal on 18.09.2019 has supplied the comment on the Appeal as under:-



I/40310/2019

“The information called for by the applicant was not related to this office therefore, was not available with this office. Application was transferred under Section 6(3) of the RTI Act, 2005 to the Asstt. Commr of State Tax-cum-PIO, Ferozepur on 21.08.2019.”

4. Discussion and Findings:

4.1: I have carefully examined the appeal filed by the Appellant, CPIO’s reply to notice and relevant provisions of the Act. I find that the appellant was aggrieved that he has been provided incomplete, misleading or false information in respect of his RTI dated 16.08.2019. The RTI application was transferred by the CPIO under Section 6(3) of the RTI Act, 2005 to the Asstt. Commr of State Tax-cum-PIO, Ferozepur on 21.08.2019 as the information sought by the applicant was not related to the CPIO’s office. Section 6 (3) of the RTI Act, 2005 is as under:

“Section 6 (3) Where an application is made to a public authority requesting for an information,—

- (i) which is held by another public authority; or*
- (ii) the subject matter of which is more closely connected with the functions of another public authority,*

the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.”

4.2: In view of the above, I hold that the decision of the CPIO in the present case is justified and holds good.

5. Order:

In view of above, I reject the appeal filed by the appellant.

(Rajan Lachala)
Joint Commissioner cum
First Appellate Authority (RTI).

Speed Post/copy/Online/Email to:-

Digitally signed by RAJAN LACHALA

Date: Sat Sep 21 18:43:45 IST 2019

Reason: Approved

(ii) The Assistant Commissioner cum CPIO, GST Division Ferozepur, Ludhiana.

