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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फस: IV(16)Hqrs/LDH/Tech/RTI [REDACTED]/18-19 / 89 89

दिनांक: 3 .07.2018

सेवा में

[REDACTED]
 H.No. [REDACTED], Sector [REDACTED]
 [REDACTED] 160047.

महोदय,

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

Please refer to your RTI application dated 31.05.2018 received in this office on 04.06.2018.

The Point-Wise reply received from the concerned branches is as under:

Point No. 4 (a): The preventive branch of this office was investigating one case against the Fastway Transmissions Pvt. Ltd. The said case was transferred to DGGSTI Ludhiana in December, 2017 a/with all the records and documents related to this case and the investigation was carried out by the DG GSTI Ludhiana. Thus this office has no requested record to share under RTI Act.

Point No. 4(b): In this regard, the matter has not attained finality and as per sub section (h) of Section 8(1) of the RTI Act, the same cannot be provided. This view has been also confirmed by the Central Information Commission (CIC) vide F.No. CIC/AT/A/2007/00007 dated 10.07.2007 while deciding the appeal case of Sh. Shankar Sharma and M/s Global Stock Broking . Ltd. and Others v/s Director of Income Tax (INV.) -II & CPIO, Deptt.of Income Tax, Mumbai Tax :-

" 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 final decision about prosecuting or not prosecuting that person has been taken by an appropriate competent authority."

Point No. 4(c): No such information is available with 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:

Dr. Hardeep Singh, Additional Commissioner (1st Appellate Authority),
 Central Revenue Building, GST Bhawan, Plot No.19, Sector-17C,
 Chandigarh. Tele: 0172-2703488, Fax: 0172-5086769.

भवदीय

[Signature]
 08/07/18
 उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

2

4/6/18

KC-16663/2018

[Redacted]
Sector [Redacted]
[Redacted]-1600
31 May 2018

The Commissioner (GST),
Central Office of GST,
Rishi Nagar,
Ludhiana- 141001

केन्द्रीय माल एवं सेवाकर आयुक्तालय
CENTRAL GST COMMISSIONERATE
लुधियाना/Ludhiana
04 JUN 2018
प्राप्ति संख्या..... 3485

Subject- Request for information under RTI Act

Sir,

DC/P)

1. Please refer to my letter dated Nov 2014 addressed to PM and others, a photocopy of which is enclosed for your ready reference please.
2. Considering massive evasion of tax resulting in huge loss to National Exchequer by Fastway Transmission Company Pvt. Ltd including other allied companies Ludhiana, as explained in my above letter under reference, I have taken initiative to inform PM, Finance minister and other concerned Tax Departments during Nov 2014 for taking necessary action against them.
3. Based on my information, the Finance Minister and other Commissioner offices were expected to take desired action to recover the taxes from the above companies from time to time since Nov 2014. It is also learnt that the office of Central Excise Intelligence also issued show cause notices for approximate amount of Rs330 crores for the above period under intimation to your office, for which the exact details of recoveries made so far is available with your office.
4. In order to take exact stock of collection of taxes till date, you are requested to provide the following information under RTI Act:-
 - a. A copy of letter No's Written by Chief Commissioner office to your office for taking necessary action :-
 - i. CNo. 12/Zone- 14/ST/2014/3440 dt 28.4.2015
 - ii. CNo. 12/Zone-14/ST/2014/2416 dt 01.04.2015
 - b. A copy of show cause notices issued to above Transmission Companies and allied Companies from time to time since Nov 2014 till May 2018 by the office of Commissioner (GST) and DG Central Excise Intelligence office, New Delhi till date.
 - c. Details of total recoveries made from Fastway and allied Transmission Companies for the period from Nov 2014 till May 2018 by your office.
5. Postal order for Rs100/- is enclosed as per the official orders.

Apdt (RTI)
[Signature]
05/06/18
Sh. Satinder
Garg,
[Signature]
06/06/18

Thanking you

Yours sincerely,

[Signature]

- [Redacted] necessary action as requested above)
1. [Redacted]
 2. [Redacted]
 3. [Redacted] Chief Commissioner (GST)
 4. [Redacted] Central Excise Intelligence
 5. Chief Commissioner (GST) [Redacted]
- Chand [Redacted]

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

दूरभाष/TELE: 0161-2679426 फ़ैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फ़ सं: IV(16)Hqrs/LDH/RTI/[REDACTED]/18-19/9025-20

दिनांक: 07.07.2018

सेवा में

Sh [REDACTED]
 [REDACTED] Guru Nanak Dev [REDACTED]
 [REDACTED] Road, [REDACTED]

महोदय,

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

Please refer to your subject application PJ/GST/09/06/18 received in this office on 12.06.2018.

Point wise reply is as under:

Point No. 1 & 2: It is intimated that the RTI Act does not cover queries/Interrogative question. The information has been defined under section 2(f) of RTI Act, 2005 which means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, log books, 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. Queries are not covered under the definition of information under section 2(f) of the RTI Act, 2005. Act does not cast obligation to answer queries, as in the case when the petitioner attempts to elicit answers to his question with prefixes such as why, what, when and whether. Such queries are not "information" under section 2(f). Therefore, the information sought by you does not fall under definition of "information" as per section 2(f) of the RTI Act 2005.

Point No. 3: No such information is available.

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:

Dr. Hardeep Singh, Additional Commissioner (1st Appellate Authority),
 Central Revenue Building, GST Bhawan, Plot No.19, Sector-17C,
 Chandigarh. Tele; 0172-2703488, Fax: 0172-5086769.

भवदीय,

[Signature]
 04/07/18
 उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

Copy to: The Administrative Officer (P&C) GST Commissionerate-Ludhiana a/with Postal Orders No. 44F 380284 of Rs. 10/- for necessary action

[Signature]
 04/07/18
 उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

4

केन्द्रीय माल एवं सेवाकर आयुक्तालय
CENTRAL GST COMMISSIONERATE
लुधियाना/Ludhiana
12 JUN 2018
प्राप्ति संख्या... 2126

PJ/GST/09/06/18

To

Public Information Officer
Goods & Services Tax Commissionerate
Central Excise House, F-Block,
Rishi Nagar, Ludhiana, Punjab 141001

2018/12/06/18
Subdt RTP
SI Sataion (Gross)
JP
BB/12

Information under RTI
Applicability of GST on
Outsourced Manpower Services

Dear Sir,

1. GST has to be charged on full bill amount like service Tax on outsourced manpower services. But Airforce station Halwara has given different instructions on GST contrary to GST act. As per GST act GST is charges on gross bill of outsourced services and no abatement on PF, ESI or bonus is allowed, Airforce Sataion Halwara is giving instructions on exclusion of EPF and ESI from GST without any GST notification reference. (The copy of their instruction is also enclosed)
2. In View of above please provide information a per RTI act as under.
 - a. Authority if any on exemption of GST on EPF and ESI component of wages along with GST notification number under which this is exempted.
 - b. Copy of any instruction issued from your HQ for exemption of GST on EPF/ESI or any other component from wage bill of outsourced services.
 - c. Authority if any under GST act which empowers Airforce Halwara to issue such instruction without specific exemption ordered by GST
3. Necessary fee is enclosed

Yours sincerely

[Signature]
[Redacted]
[Redacted], [Redacted]
[Redacted] ESI, [Redacted]
[Redacted]
[Redacted]

5

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फ स: IV(16)Hqrs/LDH/RTI/ [REDACTED] /18-19 / 2018

दिनांक: 9.07.2018

सेवा में

[REDACTED]
 [REDACTED]
 [REDACTED]

महोदय,

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

Please refer to your RTI application received in this office on 11.06.2018 through DG GST, New Delhi on the subject cited above.

The reply received from the concerned branch is as under:

As per information available, a reward of Rs. 16,793/- was paid to the informer vide Reward Order No. 02/2003.

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:

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

भवदीय

[Signature]
 09/07/18

उप आयुक्त -सह-

व.प्र. केन्द्रीय जन सूचना अधिकारी

RTI Request & Appeal Management Information System(RTI-MIS)

HOME SEARCH ASSESSMENT MASTER UPDATE ANNUAL RETURN UTILITIES REPORT LOGIN HISTORY

UPDATE ONLINE REQUEST

Public Authority: Directorate General of Goods and Services Tax (DGGST)

Role : Nodal Officer

User : Sanjay Kumar

RTI Request Registration No. [REDACTED]

[View request Details](#)

Date of Receipt 03/06/2018

Personal Details:-

Name [REDACTED]

Gender Male

Address [REDACTED]

State Punjab

Country India

Status Rural

Education Qualification Details not provided

Phone No. [REDACTED]

Mobile No. [REDACTED]

Email-ID [REDACTED]

Request Details :-

Citizenship Indian

Is the Requester Below Poverty Line No

Amount Paid ₹10.

Does it concern the Life or Liberty of a Person ? No(Normal)

Text of RTI Application :

Final Reward in the cases of Ms. Yaspal Hosiery and Ms. Beas Scientific Dyers.To, The C.P.I.O. GST Commissionerate, Ludhiana. Sir, I am told verbally on 10/04/2018 and on 21/05/18 that both case files were misplaced in the Preventive Section of the department and the earnest efforts are on to locate the same. Now under The RTI Act we wants the following information. 1. Detailed Status Report with regards to payment of Final Reward in the clubbed cases refered above. Mandatery fees of Rs. 10/- is sent by e- payment. Thanks. Yours faithfully, Harish Kapoor, zonal convenor, Anti Corruption Council of India, B-IX, 440, Chauri Sadak, Ludhiana-141008. Mobile no: 7888373270, 98159 19029.

Mohalla Bazarian

Request document

Request document not provided.

* Mode of Action

Choose Mode of Action

Online Forwarding Physical Forwarding

* Choose an Action

PHYSICALLY TRANSFER REQUEST TO OTHER PUBLIC AUTHORITY

* Enter Public Authority Name

CPIO, o/o Commissioner of CGST, Ludhiana

Submit

Reset

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: gstlsdtech@gmail.com

फ स: IV(16)Hqrs/LDH/RTI/[REDACTED]18-19 / 3587

दिनांक: 6.09.2018

सेवा में

Sh. [REDACTED]
 [REDACTED]
 [REDACTED]

महोदय,

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

The requisite documents viz copy of appeal before CESTAT by the party against O-I-O No. 02/Ldh/2012 dated 17.02.2012 is enclosed as per Order-in-Appeal No. 10/RTI/GST/Ldh/18 dated 17.08.2018 issued by the First Appellate Authority, GST Commissionerate, Ludhiana under C.No. IV(16)Hqrs/LDH/RTI Appeal/H Kapoor/10/18-19/10286 dated 20.08.2018.

Encl: as above

भवदीय
 [Handwritten Signature]
 6/9

उप आयुक्त -सह-
 केन्द्रीय जन सूचना अधिकारी

8

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

माल और सेवाकर आयुक्तालय, लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन ,एफब्लॉक, रीशिनगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ई-मेल-/Email: cexldh@nic.in

फ स: IV(16)Hqrs/LDH/RTI/ [REDACTED] /18-19 /9377

दिनांक: 17 07.2018

सेवा में

Sh. [REDACTED]
[REDACTED]
[REDACTED]

महोदय,

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

Please refer to your RTI application received in this office on 25.06.2018 through DG GST, New Delhi on the subject cited above.

The reply received from the concerned branch is as under:

The copy of the appeal filed with CESTAT against OIO No. 02/Ldh/2012 dated 17.02.2012 could not be traced out. Hence the same cannot be supplied. As regards status of the case, the same is available in Public domain www.cestatnew.gov.in.

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:

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

भवदीय

19/7/18
16/07/18

उप आयुक्त -सह-

21/7/18

केन्द्रीय जन सूचना अधिकारी



HOME SEARCH ASSESSMENT MASTER UPDATE ANNUAL RETURN UTI 15 11 2018 11:30 AM
 LOGOUT

UPDATE ONLINE REQUEST

Public Authority: Directorate General of Goods and Services Tax (DGGST)

Role : Nodal Officer

User : Sanjay Kumar

RTI Request Registration No. [REDACTED]

[View request Details](#)

Date of Receipt 17/06/2018

Personal Details:-

Name [REDACTED]

Gender Male

Address [REDACTED]

State Punjab

Country India

Status Urban

Education Qualification

Phone No. [REDACTED]

Mobile No. [REDACTED]

Email-ID [REDACTED]

Request Details :-

Citizenship Indian

Is the Requester Below Poverty Line No

Amount Paid ₹ 10/-

Does it concern the Life or Liberty of a Person ? No(Normal)

Text of RTI Application :

O.I.O. No. 02/ldh/2012 dtd. 17/02/2012. Ms. Mankoo Machine Tools Pvt Ltd, Ludhiana., The CPIO, GST COMMISSIONETATE, Ludhiana. Sir, Under The RTI Act 2005, provide us the following Information/ documents. 1. Copy of the appeal made to CESTATE by the party, with no. and date. 2. Present status of the case, If your record is not up to date, please do the needfull. Fees of Rs. 10/- is remitted. Thanks. Yours faithfully, Harish Kapoor, B-IX, 440, Chauri Sadak, Ludhiana-141008.

Request document

Request document not provided.

* Mode of Action

Choose Mode of Action

Online Forwarding Physical Forwarding

* Choose an Action

PHYSICALLY TRANSFER REQUEST TO OTHER PUBLIC AUTHORITY

* Enter Public Authority Name

CPIO, o/o Commissioner of CGST, Ludhiana

P.N. 10/-

Submit

Reset

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

मालऔरसेवाकर आयुक्तालय, लुधियाना
GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA
जीएसटी भवन, एफब्लॉक, ब्लॉक- नगर, लुधियाना- 141001
GST BHAWAN, F-BLOCK, RISHI NAGAR, LUDHIANA- 141001

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फस:IV(16)Hqrs/LDH/ RTI/[REDACTED]/18-19 /9411

दिनांक: 17.07.2018

सेवामें

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

महोदय,

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

Please refer to your subject application dated 18.06.2018 received on 20.06.2018.

Point No. 1&4:

The information cannot be provided as the information sought is of commercial confidence in nature and possessed in fiduciary relationship. So, is exempted from disclosure under Section 8(1)(d) and (e) of the RTI Act. The views have been fortified by Para 6 of CIC decision CIC/SH/A/2014/002810 dated 18.01.2016 in the case of Shri S. S. Chandran Babu Vs CPIO, Indian Overseas Bank-Chennai.

6. We now come to the clauses of the RTI Act applicable in this case. In one of the points of the RTI application, the Appellant has sought minutes of all the meetings of the Board of Directors of the bank April 2010 onwards. Such minutes invariably contain a good deal of information of commercial confidence for the bank, the disclosure of which could harm the competitive position of the bank. Therefore, this information cannot be disclosed in a wholesale manner. There are cases, where issues of specific interest/concern to RTI applicants, considered by the Board of Directors, are involved. In such cases, each request has to be considered on its own merits. In this case, the Appellant has sought the entire copies of the minutes of the meetings for a period of over four years. Such disclosure is exempted under Section 8 (1) (d) of the RTI Act. The Appellant has not established any larger public interest for disclosure of this information to him. In so far as the information concerning the borrowers of the bank is concerned, we note that it is held by the bank in a fiduciary capacity and is

(11)

exempted from disclosure under Section 8 (1) (e) of the RTI Act. Once again, the Appellant has not established any larger public interest for disclosure of this information to him. In view of the foregoing, we uphold the decision for the Respondents to deny the information in response to the RTI application dated 16.8.2014 under Section 8 (1) (d) and (e) of the RTI Act.

While deciding the Civil Appeal No.6454 OF 2011 [Arising out of SLP [C] No.7526/2009] In the case of Central Board of Secondary Education & Anr. Vs Aditya Bandopadhyay & Ors. The Hon'ble Supreme Court has also held that:

24. We may next consider whether an examining body would be entitled to claim exemption under section 8(1)(e) of the RTI Act, even assuming that it is in a fiduciary relationship with the examinee. That section provides that notwithstanding anything contained in the Act, there shall be no obligation to give any citizen information available to a person in his fiduciary relationship. This would only mean that even if the relationship is fiduciary, the exemption would operate in regard to giving access to the information held in fiduciary relationship, to third parties. There is no question of the fiduciary withholding information relating to the beneficiary, from the beneficiary himself. One of the duties of the fiduciary is to make thorough disclosure of all relevant facts of all transactions between them to the beneficiary, in a fiduciary relationship. By that logic, the examining body, if it is in a fiduciary relationship with an examinee, will be liable to make a full disclosure of the evaluated answer-books to the examinee and at the same time, owe a duty to the examinee not to disclose the answer-books to anyone else. If A entrusts a document or an article to B to be processed, on completion of processing, B is not expected to give the document or article to anyone else but is bound to give the same to A who entrusted the document or article to B for processing. Therefore, if a relationship of fiduciary and beneficiary is assumed between the examining body and the examinee with reference to the answer-book, section 8(1)(e) would operate as an exemption to prevent access to any third party and will not operate as a bar for the very person who wrote the answer-book, seeking inspection or disclosure of it.

Moreover, As per clause (j) of Section 8 (1) of the RTI Act, 2005

"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 or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information"

Further, Hon'ble Central Information Commission in Shri Inder Pal Kalra vs North Delhi Municipal Corporation in Appeal: No. CIC/DS/A/2012/002046 dismissing the appeal of the party observed that:

7. A perusal of both the RTI applications has convinced the Commission that the appellant is seeking third party information without any larger public interest with the apparent purpose of meddling in the affairs of other persons. In case the appellant holds information regarding any wrong use/unauthorized construction on the said properties, then it is for him to provide this information to the proper authorities so that corrective action can be taken. Instead, in paragraph 10 of the RTI application dated 2 July 2012 the applicant has sought "certified copies of the complete file of the approved/sanctioned/regularized residential site plan of property no. 3172, Gali Sui Wali, Ram Bazar, Mori Gate, Delhi", including among other documents, all no objections given by various agencies, total submitted documents by the owners, complete file notings and complete remarks and directions passed by all the officials."

8. Such an intrusion into affairs of third parties without establishing larger public interest is neither the purpose nor the object of the RTI Act and must be discouraged. In the Commission's view, this is a case which is squarely covered by the observations made by the honourable Supreme Court of India in Civil Appeal No. 6454 of 2011 decided on 9 August 2011 in the matter of CBSE & Anr Vs Aditya Bandhopadhyaya and Ors. wherein it is stated as follows:

"37. The right to information is a cherished right. Information and right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring in transparency and accountability. The provisions of RTI Act should be enforced strictly and all efforts should be made to bring to light the necessary information under Clause (b) of Section 4(1) of the Act which relates to securing transparency and accountability in the working of public authorities and in discouraging corruption. But in regard to other information, (that is information other than those enumerated in Section 4(1)(b) and (c) of the Act), equal importance and emphasis are given to other public interests (like confidentiality of sensitive information, fidelity and fiduciary relationships, efficient operation of governments, etc.). 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 counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the nonproductive 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, tranquillity 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 public authorities prioritizing 'information furnishing', at the cost of their normal and regular duties."

9. Appellant is directed to impive the true spirit of the observations made by the Supreme Court quoted hearing above and not misuse in future, the cherished right given to citizens under the RTI Act, 2005. Appeals stand dismissed.

Further, the representative of the applicant who represented them in Hon'ble High Court of Punjab & Haryana, Chandigarh also filed similar RTI application seeking similar information. Some of the bidders were approached in terms of Section 11 of the RTI Act, 2005 that time whether they want to disclose the information or not. In response they did not give their consent for disclosure. It was not possible to approach each and every bidder as the tenders were floated for more than 30 buildings.

Point No. 2, 3& 9:

Hon'ble Central Information Commission in Shri K.L. Bablani v. DG Vigilance, Customs and Central Excise, New Delhi, CIC/AT/A/2009/000617 dated 16.09.2009, has held that:-

"6.....In most cases, the purpose is to find out the identity of those officers who had taken favourable and those who had taken unfavourable view of the conduct of such employees in recording the file-notes. The employees are aware that it is these notes, which eventually lead to decisions for, or against, them by the competent authority and want, for their own different purposes, to gain access to the identities of those recording the notes as well as the notes recorded to pursue their agendas about, or against, the officers recording those notes. It has happened in a few cases that even bona-fide comments made in such sensitive files by officers, when disclosed to, the person in respect of whom such comments were made, brought retribution to the officer recording the note in the shape of a court proceeding, a notice for damages and so on. In some cases, even intimidation was resorted to. Confidentiality of note-files, therefore, is an entirely wholesome principle conducive to good governance. Any compromise with objectivity in processing matters extant in the file, is potentially damaging to governance by exposing those entrusted with the charge of processing the matter to, undue, and sometimes, intimidating, scrutiny by interested parties. In view of the above ratio, the file notings in vigilance files cannot be authorized to be disclosed as these amounted to information confidentially held by the Public Authority and thereby come within the scope of Section 11(1) read with Section 2(n) of the RTI Act 2005. Hence, the information sought is denied on the ground that the same is exempted from disclosure as per Section 8(1)(g) of the RTI Act."

(19)

The identical view was again held by Hon'ble Central Information Commission in CIC/RK/A/2016/000104-AB in case of Satya Vijay Singh vs CPIO on 29.03.2017. Further, as per office record CWP No. 10759 of 2018 (Sh. SubodhKakkar Vs Union of India) & CWP 12403 of 2018 filed in the Hon'ble High Court of Punjab & Haryana, Chandigarh have been dismissed by the Hon'ble court vide order dated 22.05.2018 and the information sought in the subject RTI closely relates to the CWP and therefore no public interest is involved.

Point No. 5,6,7& 8:

As per O.M. No. 1/4/2009-IR dated 05.10.2009 of Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training whereby a Guide on the Right to Information Act, 2005 was circulated. Para 10 of Part 1 of the Guide, inter alia, stated that only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The Public information Office is not supposed to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.

The Supreme Court in the matter of Central Board of Secondary Education &Anr. Vs. AdityaaBandopadhyay&Ors. (Civil Appeal No. 6454 of 2011) as follows:

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

2. The issue of 'Public interest' vs 'Private interest' needs to be deliberated upon as it is very important to the RTI application:

The Right to Information Act 2005 does not define 'public interest'. No other Freedom of Information Law in the world does it. Non-disclosure of information under Qualified exemptions requires application of the public interest test. Something in the public interest is simply something which serves the interests of public.

Stroud's Judicial Dictionary, Vol.4(4th edition) defines public interest as:

"A matter of public or general interest 'does not mean that which is interesting as gratifying curiosity or a love of information or amusement ; but that in which a class of the community have a pecuniary interest, or some interest by which their legal rights or liabilities are affected' ..."

Black's Law Dictionary (6th Edition) defines public interest as :

"Something in which the public, the community at large, has some pecuniary interest, or some interest by which their legal rights or liabilities are affected. It does not mean anything so narrow as mere curiosity, or as the interests of the particular localities, which may be affected by the matters in question. Interest shared by citizens generally in affairs of local, state or national Government. "

Hon'ble Supreme Court of India in *Janata Dal v .V.H.S. Chowdhary* observed that the purpose of the public interest is -

"To wipe out the tears of the poor and needy, suffering from violation of their fundamental rights, but not for personal gain or private profit of political motive or any oblique consideration."

In *State of Gujarat v Mirzapur Moti Kureshi Kasab Jamat & others*, Hon'ble Supreme Court of India observed that:

"the interest of general public (public interest) is of a wide import covering public order, public health, public security, morals, economic welfare of the community, and the objects mentioned in Part IV of the Constitution (i.e. Directive Principles of State Policy)".

Hon'ble Central Information Commission of India in various cases held that:

Appeal No.ICPB/A-1/CIC/2006 dt.31.01.2006

Conscious of the fact that access to certain information may not be in the public interest, the Act also provides certain exemptions from disclosure.

Appeal No. 16/IC(A)/2006,dt. 28.03.2006

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

The applicant participated in the tender and filed two writ petitions before the Hon'ble High Court of Punjab & Haryana, Chandigarh i.e. CWP 10759 of 2018 and CWP 12403 of 2018 on the issue related to hiring of building at Ferozepur. The applicant has filed the instant RTI application just to promote his private interest. No larger public interest is involved in the application filed by the applicant. The RTI application deserves to be rejected on this ground alone also.

The prescribed Fee under RTI Act is Rs. 10/-, so you are requested to send the IPO of Rs. 10/- and the IPO of Rs. 500/- will be returned to you.

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:

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

भवदीय,
[Signature]
18/07/18
उपआयुक्त-सह
केन्द्रीयजनसूचनाअधिकारी

केन्द्रीय माल एवं सेवाकर आयुक्तालय
 CENTRAL GST COMMISSIONERATE
 लुधियाना/Ludhiana
 20 JUN 2018
 प्राप्ति संख्या... 3741

RIGHT TO INFORMATION ACT-2005
 FORMAT FOR APPLICATION

NAME OF APPLICANT:-	[REDACTED]
NAME OF FATHER/HUSBAND:-	[REDACTED]
POSTAL ADDRESS:-	[REDACTED] City - 152002
TELEPHONE / MOBILE NUMBER:-	[REDACTED]
FAX NUMER:-	NIL
EMAIL ADDRESS (IF ANY)	[REDACTED]
NAME OF PUBLIC AUTHORITY FROM WHOM THE INFORMATION IS BEING REQUESTED:-	To Deputy Commissioner Cum CPIO GST Bhawan, Central GST Commissionerate, F-Block, Rishi Nagar, Ludhiana
NATURE AND DETAILS OF THE INFORMATION REQUESTED:- Kindly provide us required information (the matter of information required is attached here with) under RTI Act-2005.. Kindly provide us attested copies of Notesheets & documents.	
MODE OF FEE PAYMENT ACG-67/BANK DRAFT/BANKERS CHEQUE:-	By IPO 52H-860413, 52H-860414, 52H-860415 52H-860416, 52H-860417
DETAILS OF FEE DEPOSIT:-	Five Hundred only.
MODE OF RECEIPT OF INFORMATION BY POST / EMAIL/ INPERSON:-	
DATE:- 18/06/18	[REDACTED SIGNATURE]

28/06/18
 Subdt
 RTI
 Sh. S. Singh
 25/06/18

SIGNATURE OF THE APPLICANT

To

Deputy Commissioner cum CPIO,

GST Bhawan,

Central GST Commissionerate,

F - Block , Rishi Nagar , Ludhiana.

Subject :- Requesting for information under the RTI Act 2005 - Regarding.

Sir,

I want the following information under the Right To Information. I have also appended a postal order of Rs 500/- along with my RTI application as charges for copying of any pages of files.

Following information be provided to me at earliest:

1. Copies of all the correspondences and note sheet pages regarding the hiring of office building at Ferozepur vide tender notice dated 27/04/2017. The information shall comprise of all the communications sent by your office and received from the time of floating of tender i.e 27/04/2017 till the date of rejection of tender . Copies of all the tender Technical Bids received and examined by your office may also be provided. Including the Copies of all note sheet pages from the date of floating of tender to the date of rejection.
2. Copy of all complaints received by your office against the building of [redacted] and copy of examination report of Sh. RS Mann , Assistant Commissioner , Bathinda , on such building and your subsequent actions on it. (including notesheet pages).
3. Copies of all file notings on notesheet pages done by your officers on file pertaining to such complaints from the date of floating of tender i.e 27/ 04/2017 till the date of cancellation of tender of Sh. Ashok Kumar (L1 Bidder) may also be provided.
4. Copies of Note sheet pages where permission to open financial bids on dated 06/07/2017 pertaining to hiring of office building at Ferozepur was taken from Commissioner may specifically be provided. And Copy of notesheet signed by Sh. [redacted] and other bidders after opening of Financial bids , showing the rates of all bidders ,may also be provided.
5. Kindly mention in how many cases of successful bidders for tenders for hiring of offices across punjab , have you received the technical bids stating that various amenities 'will be provided ' by the bidders.
6. Whether such mention in the technical bids qualify them as ready to occupy premises.
7. In how many cases have you given time to various successful bidders to complete the premises after the financial bids have been approved.
8. Did Mr. Naresh Penumaka (earlier commissioner), GST , Ludhiana , had given approval for opening of the financial bids for hiring of office at ferozepur, for dated 06/07/2017, after approving technical bids. Kindly provide the copies of note sheet where such approval was sought.

(A)

9. Kindly provide the copies of note sheet where approval for forming another technical committee under Sh. Mann ,AC , Bathinda ,to inspect building at ferozepur , was sought from the commissioner (Sh. Barnwal) and the reasoning behind it.

Sir, It must be stated that any information pertaining to tenders including the copies of bid documents does not come under the purview of exemption under the RTI Act. Even Central Information Commission in its various orders have clearly upheld that. The various case laws and order are as follows:

1. Central Information Commission in the case of Mrs R Anil Kumar vs Bhel on 29 May, 2015 held that " 4. We have considered the records and the submissions made by both the parties before us. In the above context, we note that in its judgment dated 23.3.2012 in *Bharat Sanchar Nigam Ltd. vs. Shri Chander Sekhar* [LPA No. 900/2010], the High Court of Delhi considered a matter in which the RTI applicant had sought copies of the complete reports of evaluation of tenders on the financial bids received from various bidders in response to certain tender notices. The information was denied by the CPIO under Section 8 (1) (d) on the ground that it was of "commercial confidence". Ruling on the appeal of the RTI applicant against the above decision of the CPIO, the CIC in its order dated 10.11.2009 allowed the appeal and held, inter alia, that the evaluation process stood completed and thus the commercial position of any of the bidders could not be adversely affected by the disclosure of the above information and that the exemption under Section 8 (1) (d) of the Act was not available since the information was already in public domain owing to the finalization and completion of the bidding process and evaluation and could not pose a threat to the competitive position of any of the bidders.

2. Central Information Commission Mr.Rakesh Kumar Dubbudu vs Indian Institute Of Management ... on 20 April, 2010 held that "We have in earlier decision had occasion to rule on the question of disclosure of bids on offer after the contract has been awarded, in light of the exemption allowed u/s 8(1) (d). In the earliest such case, we have held in Complaint No. CIC/WB/C/2006/00176 decided on 13.6.06, as follows:

"A contract with a public authority cannot be categorised as 'confidential' after completion. Even if some confidentiality is involved, public interest in a matter of the nature of the present case will warrant disclosure. Had it been a case of quotations, bid or tender or any other information prior to conclusion of a contract, it could be categorized as trade secret, but once concluded the confidentiality of such transactions cannot be claimed. Any public authority claiming exemption must be put to strictest proof that the exemption is justifiably claimed. This is not so in the present case."

Similarly, our decision in Appeal No. CIC/SM/A/2009/000981 decided on 4.11.09 is as follows:

"The Respondent reiterated the same arguments and claimed that the quotations offered by various bidders for the renovation/repair work as well as the bills which were reimbursed to the contractor were in the nature of commercial confidence, the disclosure of which would affect the competitive position of the concerned parties and, therefore, should not be

disclosed. We do not at all agree with this line of argument. The tender process cannot remain a confidential affair after the tender is finalized and the successful bidder selected and appointed. When the bidders take part in a tender process, they do so in response to an open public invitation of bids. To argue that their quotation is a confidential transaction between them and the Public Authority even after the tender is finalized is totally contrary to the objective of transparency expressly sought to be promoted by the Government in the area of procurements of goods and services. In fact, such information should be suo moto placed in the public domain by the Public Authority without having to be told to do so. Similarly, the application of an individual for securing a job cannot be a confidential document by itself. If it contains details other than what was strictly excepted as per the recruitment rules for the post, those details can, however, be severed before parting with the document."

Further The right to information regarding the functioning of public institutions is a fundamental right as enshrined in Article 19 of the Constitution of India. This Hon'ble Court has declared in a plethora of cases that the most important value for the functioning of a healthy and well informed democracy is transparency. Mr. Bhushan referred Constitution Bench judgment of this Court in the case of State of U.P. vs. Raj Narain, AIR 1975 SC 865, and submitted that it is a Government's responsibility like ours, where all the agents of the public must be responsible for their conduct, there can be but few secrets. The people of this country have a right to know every public act, everything that is done in a public way, by their functionaries. The right to know, which is derived from the concept of freedom of speech, though not absolute, is a factor which should make one wary, when secrecy is claimed for transactions which can, at any rate, have no repercussion on public security. To cover with veil of secrecy, the common routine business is not in the interest of public.

In this RTI i have requested for various information which may pertain to technical bids , file notings etc. You are requested to provide information as such since as already stated above , there is public interest in knowing every act of the government agencies related to procurement because public money is involved in that procurement.

No information may be created by you , copies of the documents and notesheets may only be provided to us.

Yours Sincerely

[Redacted signature]

[Redacted name]

Ph No. [Redacted]

Address. 90 [Redacted]

[Redacted address details]

[Redacted address details]

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881 ईमेल-/Email: cexldh@nic.in

फ सः IV(16)Hqrs/LDH/ RTI/ [REDACTED] 18-19 / 9067

दिनांक: 9 .07.2018

सेवा में

[REDACTED]
[REDACTED]
[REDACTED]

महोदय,

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

Please refer to your subject application dated 14.06.2018 received on 20.06.2018.

In this regard , certified copy of Service Book of Sh. [REDACTED]
Commissioner(Retd.), as provided by the concerned branch is enclosed.

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:

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

भवदीय,

MSM
08/07/18

Encl: as above (54 pages)

उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

22

Regd.

To
The Joint Commissioner (P&V),
Central GST Commissionerate,
F- Block, Rishi Nagar,
Ludhiana

केन्द्रीय माल एवं सेवाकर आयोग
CENTRAL GST COMMISSIONERATE
लुधियाना/Ludhiana
20 JUN 2018
प्राप्ति संख्या... 3748

Sir,

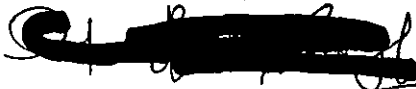

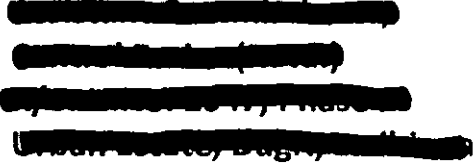
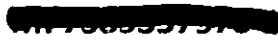
Subject – Copy of Service Book – Request Regarding.

This is to inform you that I retired as Assistant Commissioner from the then Central Excise Commissionerate, Ludhiana on 31-7-2015 on attaining the age of superannuation after completion of more than 40 years of continuous Govt. service. My date of birth is 31-7-1955.

You are requested to please supply me a certified true copy of my Service Book for the period 30-8-1974 to 31-7-2015 for record. In this regard Postal Order for Rs. 100/- is enclosed for further necessary action at your end please.

Thanking you,

Yours faithfully,


14-6-18




Encl: as above (Rs. 100)
P.O

JC
on leave

Jal
20/06/18

Supdt
RTP
Sh. Sathide Govt.
21/06/18

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फ सः IV(16)Hqrs/ Ldh/ RTI/ [REDACTED] /18-19 / 100 59

दिनांक: 8 .08.2018

सेवा में

[REDACTED] t s/o [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

महोदय,

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

Please refer to your subject application dated 10.07.2018 received on 10.07.2018.

In this regard, the information sought by you in the said application pertains to M/s Regular Exports, which falls under Section 11(1) of RTI Act, 2005 being a third party. The party has refused to disclose their information. Hence, the same 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 order. The name and complete address of the 1st Appellate Authority is as under:

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

भवदीय
[Signature]
8/8
उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

24

केन्द्रीय माल एवं सेवाकर आयोग
CENTRAL GST COMMISSIONERATE
लुधियाना/Ludhiana
10 JUL 2018
प्राप्ति संख्या 4138

The Public information Officer,

Central Excise & Service Tax Commissionerate
Central Excise House, F-Block,
Rishi Nagar, Ludhiana.
Pin: 141001

11/07/18
Smt. Satinder Goyal
2nd
13/07/18

Sir,

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

I Sri

Son of Shri

Resident of

Mobile number:

Wish to seek information as under:

That my father, Late [redacted] & Late [redacted] had a partnership firm, namely, [redacted] [redacted], [redacted], [redacted]. That the firm had some pending duty drawback claims in the past and in the same concern, all the records of several claims was with the Central Excise & Service Tax Commissionerate, Ludhiana for the Brand Rate Fixation. Later, as per the notification vide Public Notice NO. 27/2017-18, by the Office of the Commissioner of Customs, Air Cargo Export, New Delhi, it was intimated to jurisdictional Central Excise Commissionerate (Central Excise House in our concern) to transfer all the record to Air Cargo Export, New Delhi for disbursement of pending cases of BRE. Therefore, I would like to know: No. of files/Cases/Records transferred, Total no. of claims, Any period B.R. fixed, Past Brand Rates fixation since inception of firm, Any information related to firm.

I hereby inform that following formalities have been completed by me

1. That I have deposited the requisite fee of Rs. 50 /- by way of Cash / banker cheque / Draft / Postal Order favouring CPIO, Central Excise & Service Tax Commissionerate dated 10/07/18.
2. I need the information in Created & copies of Documents & Records (Created or copies of the documents & records/Information provided in Diskette or Floppy etc.). Also, if any additional charges the Officer may find necessary, shall advice details of further fees, as determined by him, representing cost of providing the information.
3. Whether belonging to B.P.L. category (Yes _____ No).
4. Mode of delivery expected in person (Ordinary post, Speed post, by Courier, in Person, through Internet or Email, by Fax etc.). Additional fee may be charged to cover the cost of delivery, if applicable.
5. Enclosures: State Excise & Taxation RTI Record of Jam, IEC, Death-Certificate
[Redacted], Applicant ID Proof, Air Cargo Export Notification
6. That I am a 'Citizen' of India and am asking the information as 'Citizen' under the Right to Information Act, 2005.

DECLARATION

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

PLACE: Ludhiana

DATE: 10/07/18

[Redacted Signature]

Address: [Redacted]
[Redacted]
[Redacted], Punjab

E-mail address: [Redacted]

Contact: [Redacted]

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फ स: IV(16)Hqrs/ Ldh/ RTI/ [REDACTED] /18-19 /10058

दिनांक: 8 .08.2018

सेवा में

[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 subject application dated 10.07.2018 received on 10.07.2018.

In this regard, the information sought by you in the said application pertains to M/s Regular Traders which falls under Section 11(1) of RTI Act, 2005 being a third party. The party has refused to disclose their information. Hence, the same 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 order. The name and complete address of the 1st Appellate Authority is as under:

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

भवदीय
[Signature]
[Date]
[Initials]

उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

केन्द्रीय माल एवं सेवाकर आयोग
CENTRAL GST COMMISSIONERATE
लुधियाना/Ludhiana
10 JUL 2018
प्राप्ति संख्या..... 4139

Public information Officer,

Central Excise & Service Tax Commissionerate
Central Excise House, F-Block,
Rishi Nagar, Ludhiana.
Pin: 141001

Self
11/07/18

Enpdt RTI

Sh Satinder Gora
Jrd
13/27

Sir,

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

I Sri [Redacted]
Son of Shri [Redacted]
Resident of [Redacted]
Mobile number: [Redacted]

Wish to seek information as under:

That my Great-Grand Father, Late Sh. [Redacted] alias [Redacted] s/o Late Sh. [Redacted], had a firm, namely, [Redacted] established since 1965. That my grand father, Late Sh. [Redacted] s/o Lt. G. [Redacted] & my father, namely, Lt. Sh. [Redacted] s/o Lt. Sh. [Redacted], both deceased. That the firm had some pending duty drawbacks claims pertaining to which the record was kept with the Central Excise & Service Tax Commissionerate, Ludhiana, for the fixation of Brand Rate, which was later transferred to Air Cargo Export, New Delhi vide Public Notice No. 27/2017-18 under special drive for disburial of pending cases of Brand Rate Fixation. Thus, being the legal Representative & Legal Heir, I would like to know the following:-
No. of files/cases/Records transferred, Total No. of Claims, Any B.R. fixed, Part Brand Rates Fixation since inception of firm, Any other suitable information

I hereby inform that following formalities have been completed by me

1. That I have deposited the requisite fee of Rs. 50 /- by way of Cash / banker cheque / Draft / Postal Order favouring CPIO, Central Excise & Service Tax Commissioner dated 10/07/18.

2. I need the information in Created & Copies of Documents & Records (Created or copies of the documents & records/Information provided in Diskette or Noppy etc.). Also, if any additional charges the Officer may find necessary, shall advice details of further fees, as determined by him, representing cost of providing the information.

3. Whether belonging to B.P.L. category (Yes _____ No).

4. Mode of delivery expected in person (Ordinary post, Speed post, by Courier, in Person, through Internet or Email, by Fax etc.). Additional fee may be charged to cover the cost of delivery, if applicable.

5. Enclosures: State Excise & Taxation RTI Record of firm, Death Certificates (2), PAN (2), Applicant ID proof, Air (info)

6. That I am a 'Citizen' of India and am asking the information as 'Citizen' under the Right to Information Act, 2005.

DECLARATION

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

PLACE: Ludhiana

DATE: 10/07/18

[Signature]

Address: [Redacted]
F.O.I, 100/100,
Ludhiana, Punjab.

E-mail address: [Redacted]

Contact: [Redacted]

29

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881 ईमेल-/Email: cexldh@nic.in

फ स: IV(16)Hqrs/Ldh/RTI/ [REDACTED] 18-19 / 10581

दिनांक: 08.2018

सेवा में

30

[REDACTED],
[REDACTED] sioner of Customs,
Customs (P) Commissionerate,
The Mall, Amritsar.

महोदय,

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

Please refer to your subject application dated 23.07.2018 received through CPIO, CCO- Chandigarh on 06.08.2018.

In this regard point-wise information received from the concerned branch is as under:-

Point No. l: It is intimated that service matter related to regularization of ad-hoc promotions in the grade of Superintendent and Inspector pertains to Central GST Commissionerate, Chandigarh (Cadre Controlling Authority). Still it is intimated that as per records there is no service matter related to ad-hoc promotions in the grade of Superintendent and Inspector where contempt was filed during last 5 years.

Point No. m: Nil in view of the above.

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:

Ms. Parul Garg, IRS,
Joint Commissioner (1st Appellate Authority),
GST Commissionerate, Ludhiana
GST Bhawan, F-Block, Rishi Nagar, Ludhiana-141001
Tel: 0151-2679444, Fax: 0161-2304881.

भवदीय,

नीरत सिंह
20/8

उप आयुक्त सह-

वा.ज.व

केन्द्रीय जन सूचना अधिकारी

APPLICATION UNDER RTI ACT 2005

1.	Name of Applicant	[REDACTED]
2.	ADDRESS	Office of the Commissioner of Customs, Customs(P) Commissionerate, The Mall, Amritsar
3.	Telephone No.	[REDACTED]
4.	Name of Public Authority	Assistant Commissioner-CUM-CPIO, (070) The Chief Commissioner Of Central Goods & Service Tax Zone Chandigarh, Sector-17/C, Chandigarh
5.	Fee paid	Find enclosed following Blank IPO to please get in filled by your office for payment to the concerned account: 44 F 3 Q 115 408
6.	Information Sought	Office of The Ad. Commissioner Central Goods & Service Tax Zone
	a.	Copy of conditions in which Ad-hoc promotions can be made and the period of effectiveness of the Ad-hoc promotions.
	b.	Copy of the consequential result of Ad-hoc promotions if the same is not regularized within the prescribed period.
	c.	Copy of minutes of meetings held for regularization of Ad-hoc promotions since 2012-13 onwards.
	d.	Bases on which other Zones are giving regular promotions. Has this zone other direction/consent from the Board for not to regularize the Ad-hoc promotions (copy of the same).
	e.	Copy of correspondences made by the Chandigarh Zone with the Board/DOPT/Ministry regarding regularization.
	f.	Copy of Notesheet where proposal for making Ad-hoc promotions to regular was put up in the Zone in respect of promotions made in 2013-14 onwards in the cadre of Superintendent and correspondences made in this regard with the Board.
	g.	Copy of requisition of Inspector (year wise) sent to the Board since last 5 years against the promotions.
	h.	Now a days promotions to the Superintendent are Ad-hoc in the Zone since last 5-6 years and no required requisition of Inspectors are made to the Board by the Zone in respect of Ad-hoc promotions of the Superintendent. Which post the Zonal office is thinking for abolish Superintendents or Inspectors.
	i.	Regular vacant post of Superintendents and Inspectors as on 01.04.2015 to 01.04.2018.
	j.	Total Ad-hoc promotees to the post of Superintendents as on 01.04.2018.
	k.	Ratio of Group A with the Superintendent and Inspectors prior to GST and after GST in the Zone.)
	l.	Details of service matter cases i.e. name of the party, OA No., CWP, Contempt Petition No. wherein contempt was filed during last 5 years and results thereof.
	m.	Total amount paid to the departmental counsel with their name for defending the case from CAT to Contempt petition (CAT & High Court).
7.	Information required by	[REDACTED] It is requested to send the legible copies.
8.	I undertake that I am citizen of India.	

Supra RTI
[Signature]

[Signature] 23.07.18
Signature of the Applicant

ENC As above

Place Amritsar
[Signature]

2795
[Signature]

5

कार्यालय प्रधान आयुक्त
OFFICE OF THE PRINCIPAL COMMISSIONER

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फ स: IV(16)Hqrs/LDH/ RTI/ [REDACTED] 18-19

3298

दिनांक: 14.08.2018

सेवा में

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

महोदय,

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

Please refer to your subject application dated 20.06.2018 received through CPIO, Chief Commissioner Office, Chandigarh on 18.07.2018.

In this regard information received from the concerned branch in r/o Point No. 2 is as under:-

As per office records, no representation or application has been received from physically handicapped employees for posting near to their home state.

Further, with regard to the query as to whether any such circular has been issued by Board to different zones for settlement of application of physical handicapped employee for their posting request, it is intimated that the RTI Act does not cover queries/Interrogative question. The information has been defined under section 2(f) of RTI Act, 2005 as "any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, log books, 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".

The queries are not covered under the definition of information under section 2(f) of the RTI Act, 2005. The Act does not cast obligation to answer queries, as in the case when the petitioner attempts to elicit answers to his question with prefixes such as why, what, when and whether. Such queries are not "information" under section 2(f). Therefore, the information sought by you does not fall under definition of "information" as per section 2(f) of the RTI Act 2005.

Needless to mention here that all the Circulars issued by the Board are very much available in the Public Domain.

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:

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

भवदीया,

[Signature]
14/08/18

उप आयुक्त -सह-

केन्द्रीय जन सूचना अधिकारी

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) : DGHRD/R/2018/80229 Date of Receipt (प्राप्ति की तारीख) : 20/06/2018

Transferred From (से स्थानांतरित): Central Board of Excise and Customs - Central Excise on 20/06/2018 With Reference Number : CBECE/R/2018/50808

Remarks(टिप्पणी) : rti

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) : West Bengal 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 : 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) : Virendra Arora

Information Sought (जानकारी मांगी): Please provide the following information 1 What procedure is being adopted by the department in respect of promotion of physical handicapped employees falling in the group B and group C.

2 How many representation and application have been received in different

Commissionerate by physical handicapped employees for posting near to their home state . Is there any circular has been issued by board to different zones for settlement of application of physical handicapped employee for their posting request

Please provide the following information

1 What procedure is being adopted by the department in respect of promotion of physical handicapped employees falling in the group B and group C.

Original RTI Text (मूल

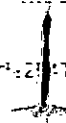
आरटीआई पाठ):

2 How many representation and application have been received in different Commissionerate by physical handicapped employees for posting near to their home state . Is there any circular has been issued by board to different zones for settlement of application of physical handicapped employee for their posting request

Print

Save

Close



कार्यालय प्रधान आयुक्त

OFFICE OF THE PRINCIPAL COMMISSIONER

माल और सेवाकर आयुक्तालय, लुधियाना

GOODS & SERVICES TAX COMMISSIONERATE, LUDHIANA

जीएसटी भवन ,एफब्लॉक- नगर,लुधियाना- 141001

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल-/Email: cexldh@nic.in

फा० सं०: IV(16)Hqrs/Tech/RTI/Ldh/ [REDACTED] 2017

/ 10633

दिनांक: 09.09.2018

सेवा में,

Shri [REDACTED] S/o [REDACTED],

Backside [REDACTED]

New Bus Stand Road, [REDACTED]

महोदय,

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

Please refer your subject application dated 03.08.2018 received in this office on 07.08.2018.

In this regard point-wise information received from the concerned branch is as under:-

- 1) The search was conducted on 18.07.2018 against M/s [REDACTED], [REDACTED], Punjab-141001 under the Provisions of Section 67 of the Central Goods and Services Tax Act, 2017 under authorization of competent authority. The information sought under this point is not maintained by this office in the format asked by the applicant and thus, the information sought does not qualify as information under Section 2(f) of the Right to Information Act, 2005.
- 2) The information sought under this point is related to process of investigation, thus, details cannot be provided as per the provision of 8(1)(h) of the Right to Information Act, 2005.
- 3&5) The information cannot be provided being the third party information as defined under Section 8(1)(d) of the Right to Information Act, 2005, the disclosure of which has no relationship to any public activity or interest and as such the same can't be provided under section 8(1)(j).
4. No such information can be provided at this stage as the matter is under investigation and the penalty is imposable only at the time of issuance of show cause notice to the assessee, if deemed fit by the competent authority. Thus, the information sought under this point can't be provided as per section 8(1) (h) of 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:

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

भवदीय,

उप आयुक्त -सह-केन्द्रीय जन सूचना अधिकारी

व.र.

Application for Information under section 6(1) of the Act

To,

The Central Public Information Officer / Mrs. Parul Garg , Joint Commissioner of Goods & Service Tax Commissionerate , Ludhiana.

(Name of the office with address) Office of the Commissioner ,GST Commissionerate GST Bhawan, F-Block, Rishi Nagar, Ludhiana.

1. Full name of the applicant : [REDACTED]
2. Father/spouse name : Sh. [REDACTED]
3. Permanent address with contact Nos. : H.N [REDACTED] Corner, B/S [REDACTED]
[REDACTED], [REDACTED], [REDACTED]
4. particulars in respect of identity of the applicant : Business Person.
5. Particulars of information solicited. : 1. In connection with the departmental search / raid to capture theft of GST being done by [REDACTED].

2. Regarding recognition of information by [REDACTED] on behalf of the Department of issuing two bills and regarding the details of [REDACTED] GST registration form.

(a) Subject matter of information : Above

(b) The period to which the information relates : 01.07.2017 To Till Date

(c) Specific details of information required : About the above topic, I will be provided with the following copied copy :-

1. Deputy Commissioner (GST Prev.) [REDACTED] told me on the phone. On July 22/23, 2018, the [REDACTED] was searched on behalf of the department by visiting [REDACTED]'s office. These copies of the details of search details entered in the register of the GST department should be given to: - i. the violation under the Act, ii. the premise to be searched, iii. the name and designation of the person, iv. the name of the issuing officer with full designation along with his round seal, v. date and place of issue, vi. serial number of the search warrant, vii. period of validity i.e. a day or two days. viii Police help

2. A copy of the complete information of the search should be given a copy of the information .

3. [REDACTED] details given in the registration form: - (A. Details of Services supplied by the Business.B Details of Additional Place (s) of Business .C. Details of Authorized Signatory Checkbox for Primary Authorized Signatory Details of Signatory No.1. D. Verification by authorised signatory E. List of documents to be uploaded: - Photographs (application form in which specified): Business of Constitution: Principal of

Business Place of Proceeding: Bank account related.) with which It should be given a copy of the information of the contract notes and tax invoices to the customers.). With which it can issue contract notes and tax invoices to the customers.

4. Two bills are being issued to customers on the same service by [redacted] in the same day. The amount of GST has been shown separately in both the bills. In addition, [redacted] has been getting its service in Punjab from Chandigarh by registering in Punjab and is charging CGST - SGST tax in place of IGST in the bill. On behalf of the Department, [redacted] should be given a copy of the recognition of the bill issuing in such a way. If the [redacted] has not given any recognition to the bill to issue such a bill on behalf of, the department, then a copy of the penalties imposed on it and the instructions issued will be given.

5. Heavy GST tax has been levied by [redacted] on other bills (Not Place & Not Digital Signature) Transaction & Other Charges. Whether it has been recovered by [redacted], the GST is being filled in the tax department or not. It should be given a copy of the information received.

(d) Whether information is required by post or in person (The actual postal charges shall be included in providing information) : Yes (Postal Order Rs. Fifty 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) P.O No. 88G - 166597(Rs.Fifty only)

11. Whether belongs to BPL category, have you furnished the proof the same. X

(With the information sought , the copy of, the Aadhaar card is attached .)

Place : [redacted]

Date : 03.08.2018

[redacted signature]

Full Signature of the applicant

Address: [redacted]

[redacted]

[redacted]

New Bus-Stand [redacted]

Contact No [redacted]

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

दूरभाष/TELE: 0161-2679426 फैक्स/FAX: 0161-2304881; ईमेल:/Email: gstldhtech@gmail.com

फ स: IV(16)Hqrs/LDH/RTI/ [redacted] /18-19 /10696

दिनांक: 6 .09.2018

सेवा में

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 received in this office on 14.08.2018 on the subject cited above.

The concerned branch has intimated to this office that the Order in Original No. 38-40/ST/AC/Refund/BTI-I/2017 dated 11.09.2017 has not been received by them till date.

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:

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

भवदीय
 09/09/2018
 6/9
 उप आयुक्त -सह

केन्द्रीय जन सूचना अधिकारी

FORM (A)

(THE RIGHT TO INFORMATION ACT)

To

The Central Public Information Officer,

Central GST Bhawan, F- Block, Rishi Nagar,

Ludhiana.

केन्द्रीय माल एवं सेवाकर आयुक्तालय
 CENTRAL GST COMMISSIONERATE
 लुधियाना/Ludhiana
 14 AUG 2018
 प्राप्ति संख्या 4.6.40

Handwritten: (RTI)
 14/08/18

1. Name of the Applicant :- [REDACTED]
2. Address :- [REDACTED]
3. Particulars of information Required:

i) **Subject matter of information** :- The Assistant Commissioner, Central GST Division No. II, Bathinda has allowed refund ~~of Rs. 10.00.0000~~ under special provisions of Section 102 of Finance Act, 1994 to M/S ~~Engineers~~ *Engineers Construction* ~~Private Ltd.~~ *Private Ltd.* ~~Bansal & Co. Contractors~~ (P) Limited, Bathinda vide Order-in-original No. 38-40/ST/AC/Refund/BTI-1/2017 dated 11-09-2017 with the direction to the *Sanjiv* ~~applicant~~ to credit the said refunded amount to G E, Dronachal, Bhopal and ~~submit~~ *submit* documentary evidence to his office within seven days from the receipt

Handwritten: G. Sanjiv
 16/8/18

~~with the information~~ relates:- 12-09-2017 onwards.
~~information~~ required
~~original~~ No. ST/AC/Refund/BTI-
 accepted by the department. If

Handwritten: 38-40 Sanjiv

Cont. Page-2

yes, please supply an attested copy of the order of the competent authority in this regard, if any.

b) In case the above said order-in-original has not been accepted by the department, then please supply an attested copy of the review orders, if any, of the Competent Authority.

iv) Whether the information is required by post or in person:- By Post

v) In case of post (Ordinary, Registered or Speed Post):- Speed Post.

Place :- Patiala

Dated :-14-08-2018

Signature of the applicant

Encl.:- Postal order No. 38F 967894 for Rs. 10/-

(Payee's name and address may be filled at your end please)

ACKNOWLEDGEMENT

Received your application dated
dated

vide Diary No.....

Signature of the Assistant Public Information

Officer / Public Information officer

Name of the Department officer-----