

भारत सरकार  
GOVERNMENT OF INDIA  
प्रधान मुख्य आयुक्त का कार्यालय  
OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER  
केन्द्रीय वस्तु एवं सेवा कर, कोलकाता क्षेत्र

CENTRAL GOODS AND SERVICES TAX AND CENTRAL EXCISE, KOLKATA ZONE  
केन्द्रीय वस्तु एवं सेवा कर भवन, दुसरा तल, 180, शांतिपल्ली, आर. बी. कनेक्टर, कोलकाता - 700 107  
GST Bhawan (2<sup>nd</sup> Floor), 180 Shanti Pally, R. B. Connector, Kolkata - 700 107  
Phone No. 033-2441-6797/6842: Fax No. 033- 2441-6834/6798

**Most Urgent**

**RTI Matter**

Office of the Commissioner of  
the Howrah Central Tax  
(CGST & CX) Commissionerate

- 1 AUG 2019

1207 AB1  
M. S. Building,  
151 Strand Road, Kol-1

F. No. V (30)158/Pr. CCO/CGST&CX/RTI/July-19/Kol

13083-84

Date: 29.07.2019

To  
The CPIO,  
Office of the Commissioner,  
CGST & CX, Kolkata North Commissionerate, Howrah Commissionerate,  
Kolkata Zone.

**Sub: RTI Application dated 24.07.2019 filed by Shri Suman Parial under Right to Information Act 2005 -reg.**

Please find enclosed herewith an RTI application having Registration No. GSTKT/R/2019/50034 dated 24.07.2019.

Since the Information sought by the applicant is regarding communications done between Central GST & Central Excise, Howrah Commissionerate and Central GST & Central Excise, Kolkata North Commissionerate, and this office has no information in this regard, hence the RTI application is being transferred under section 6 (3) of the RTI Act, 2005 to your office, with request to furnish the information directly to the applicant.

Encl: As above.

(B. Bhowmick)  
CPIO & Assitant Commissioner,  
CCO, Kolkata Zone

Law Sach

**RTI REQUEST DETAILS****Registration No. :** GSTKT/R/2019/50034**Date of Receipt :** 24/07/2019**Type of Receipt :** Online Receipt**Language of Request :** English**Name :** SUMAN PARIAL**Gender :** Male**Address :** 180, Shantipally, Rajdanga Main Road, GST Bhawan (Room no. 811), KOLKATA, Pin:700107**State :** West Bengal**Country :** India**Phone No. :** Details not provided**Mobile No. :** +91-9433913008**Email :** parial@rediffmail.com**Status(Rural/Urban) :** Urban**Education Status :** Graduate**Is Requester Below Poverty Line ? :** No**Citizenship Status :** Indian**Amount Paid :** 10 )**Mode of Payment :** Payment Gateway**Request Pertains to :**

1. Whether any information regarding the applicants of the CAT case filed in Kolkata Bench vide MA no. 350/0296 of 2019 arising out of OA No. 350/0358 of 2019 was sought by Howrah CGST & CX Commissionerate from Kolkata North CGST & CX Commissionerate and its divisions during the period from 10.03.2019 to 20.07.2019.

2. If the answer to 1. Above is yes, kindly provide the copy of the letter seeking such information by Howrah CGST & CX Commissionerate.

3. If the answer to 1. Above is yes, kindly inform whether any reply to such letters have been sent by Kolkata North CGST & CX Commissionerate and its divisions to Howrah CGST & CX Commissionerate.

4. If answer to 3. Above is yes kindly provide the copies of such replies sent from Kolkata North CGST & CX Commissionerate and its divisions to Howrah CGST & CX Commissionerate.

**Information Sought :**

These information are not covered under the provisions of Section 8 and 9 of RTI Act 2005 and the Honorable CIC in its order in the case of Mr. Mir Rahmat Ali v. BSNL in File No. CIC/BS/A/2013/001698 18/1 had inter alia held that RTI Act provides no exemption from disclosure requirements for sub-judice matters. The only exemption for sub-judice matters is regarding what has been expressly forbidden disclosure by a court or a tribunal and what may constitute contempt of court.

In this context it may also be mentioned that Honorable High Court of Delhi in the case of Municipal Corporation of Delhi v. R.K. Jain in W.P. (C) 14120/2009 dated 23.09.2010 and The Central Information Commission in its decision in E. No. CIC/AT/A/2009/00705 dated 27.11.2008, CIC/MA/A/2006/00013 dated 30/06/2006 and in CIC/BS.A.2015/001578/11769 dated 28.11.2016 had also held that information cannot be denied in sub-judice matters.

In view of the above I may kindly provided the information sought in serial no. 1 to 4 above.

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**RTI MATTER**

**भारत सरकार GOVERNMENT OF INDIA**  
**OFFICE OF THE COMMISSIONER OF CENTRAL TAX,**  
**HOWRAH GST COMMISSIONERATE**  
**एम.एस. बिल्डिंग, 15/1, स्ट्रैंड रोड, कोलकाता- 700001**  
**M.S. BUILDING, 2<sup>nd</sup> floor, 15/1, STRAND ROAD, KOLKATA- 700001**  
**दूरभाष सं/PHONE NO. 033-2262-8490**

C. No. IV (16)45/RTI/CGST/HWH/SP1/2019-20 / 7074A

Date: 19.08.2019

To  
 Shri Suman Parial,  
 GST Bhawan (Room No.811),  
 180, shantipally,  
 Rajdanga Main Road,  
Kolkata-700107

Sir,

**Sub:** - RTI application filed by Shri Suman Parial, under RTI Act, 2005- Furnishing of information & Request for sending fees for supply of documents under the RTI Act –reg.

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Please refer to your RTI application dated 24.07.2019 received by this office on 01.08.2019 transferred from CPIO & Assistant Commissioner, CGST & CX, Pr. Chief Commissioner's Office, Kolkata Zone, 180 Shantipally, Kolkata-700 107 under Section 6(3) of the RTI Act, 2005, subsequently been registered under Registration No. 45/RTI/CGST/HWH/SP1/2019-20.

The desired information as sought for in your above mentioned RTI application, in respect of Howrah CGST & CEX Commissionerate, as received from the section concerned i.e. H.Q. LAW Branch, Howrah CGST & CEX Commissionerate are mentioned point wise herein below :

- 1) Yes,
- 2) Howrah CGST & CX Commissionerate seeking such information by Letters
  - a) Vide C. No. I(10)27/Shiladitya Maitra/CAT/CGST & Cx/HWH/Law/2019/1368A dated 25/04/2019 a letter sent to Kolkata-North CGST & CX. Commissionerate, contains **03 pages**.
  - b) Vide C. No. I(10)27/Shiladitya Maitra/CAT/CGST & CX/ HWH/Law/2019/3933A dated 18/06/2019 a letter sent to Kolkata-North CGST & CX. Commissionerate, contains **01 page**.
- 3) Following letters received from Kolkata North CGST & CX. Commissionerate & its Divisions during the period from 10.03.2019 to 20.07.2019
  - a) C.No. I(10)1/Misc-CAT/ACCTS/CGST & CX/KN/2018/3346 dated 13.05.2019 of Joint Commissioner, Kolkata North, contains **05 pages**.
  - b) Letter endorsement under C.No.II(43)1/MACPS/Chow.Divn./CGST/Kol-North/17/4488 dated 02.07.2019 of AO, Chowringhee division, Kolkata North Comm'te, contains **02 pages**.
  - c) C.No.I(10)1/Misc.-CAT/ACCTS/CGST & CX/KN/2018/8221 dated 26<sup>th</sup> June 2019 of CAO, Kolkata North Comm'te, contains **04 pages**.
  - d) Letter endorsement under C.No.II(3)5-MACP/Fixation/Central/Kol-North/2017/2223 dated 01.07.2019 of AO, Central Division, Kolkata North Comm'te, contains **02 pages**.
  - e) C.No.II(21)1/MACP/BST/CGST/2017/2020 dated 26<sup>th</sup> July 2019 from Dy. Commissioner, Barasat Division, Kolkata North Comm'te, contains **02 pages**
  - f) C.No.II(29)1-ET/Review & Data/BBD Bag-I/Kol-North/2017/1909 dated 27.06.2019 of Asstt. Commissioner, BBD. Bag-I Division, Kolkata North Comm'te, contains **02 pages**
  - g) C.No.II(3)1/Transfer Posting/Supdt./Bidhannagar/CGST & CX. Kol North/17/2745 dated 28.06.2019 of Assistant Commissioner, Bidhannagar Division, Kolkata North Comm'te, contains **02 pages**
  - h) C.No.II(40)1-ET/Misc/Burrabazar/CGST&CE/Kol. North/2019/2509 dated 2<sup>nd</sup> July 2019 of Administrative Officer, Burrabazar Division, Kolkata North Comm'te, contains **02 pages**
  - i) C.No.II(39)4-ET/Misc/CGST&CX/ Kol North/BBD-II/2019/1971 dated 09.07.2019 of Dy. Commissioner, BBD Bag-II Division, CGST&CX, Kolkata North Comm'te, contains **01 page**.

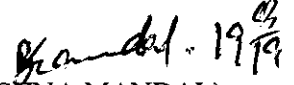
Contd.....**P=2**

- 4) All the letters received from Kol-North CGST & CX. Commissionerate & its Division's are as mentioned in point no.3.

In this regard, it is to be intimated that in order to supply the copies of desired documents, you are requested to send fees for an amount of **Rs.52.00/- (Rs.2 per page x 26 pages)** in the form of IPO/DD/Banker's Cheque/Cash payable to the Assistant Chief Accounts Officer of Howrah CGST & CEX. Commissionerate, Kolkata in terms of Section 7(3) (a) of RTI Act, 2005.

If you are aggrieved or dissatisfied with the reply, you are at liberty to prefer First Appeal within the stipulated time i.e. 30 (thirty) days from the date of receipt of this reply before **Shri Pradeep Kumar Bohra**, Additional Commissioner & 1<sup>st</sup> Appellate Authority under RTI Act, 2005, Central Tax, Howrah GST Commissionerate, M.S. Building (6th Floor), 15/1 Strand Road, Kolkata - 700 001.


Yours faithfully,

  
(BINAY KRISHNA MANDAL)  
CPIO & ASSISTANT COMMISSIONER  
सीपीआईओ और सहायक कमिश्नर,  
CENTRAL TAX केंद्रीय कर  
HOWRAH GST COMMISSIONERATE  
हावड़ा जीएसटी कमिश्नरेट

C.No. As Above/ 7075A

Dated: 19 /08/2019

Copy to the CPIO & Assistant Commissioner, Pr. CCO, CGST & C.Ex., Kolkata Zone, GST Bhawan (2<sup>nd</sup> Floor), 180 Shanti Pally, R.B. Connector, Kolkata-700107 with reference to his office letter under F.No. V(30)158/Pr.CCO/ CGST & Cx/RTI/July-19/Kol/13083-84 dated 29/07/2019.

  
(BINAY KRISHNA MANDAL)  
CPIO & ASSISTANT COMMISSIONER  
सीपीआईओ और सहायक कमिश्नर,  
CENTRAL TAX केंद्रीय कर  
HOWRAH GST COMMISSIONERATE  
हावड़ा जीएसटी कमिश्नरेट

*o/e*