



46

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 (2nd Floor), 180 Shanti Pally, R. B. Connector, Kolkata - 700 107

Phone No. 033-2441-6797/6842; Fax No. 033- 2441-6834/6798

F. No. V (30)158/Pr. CCO/CGST&CX/RTI/July-19/Kol / 15077-78

Date: 21.07.2019

To
The CPIO,
Office of the Commissioner,
CGST & CX, Howrah Commissionerate, Audit-II 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/2019/50036 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
(B. Bhowmick) 26/7/19
CPIO & Assitant Commissioner,
CCO, Kolkata Zone

Imb
Law Section

RTI REQUEST DETAILS**Registration No. :** GSTKT/R/2019/50036**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 :** par_jal@rediffmail.com**Status(Rural/Urban) :** Details not provided**Education Status :** Details not provided**Is Requester Below
Poverty Line ? :** No**Citizenship Status** Indian**Amount Paid :** 100**Mode of Payment** Payment Gateway**Request Pertains to :**

MOST URGENT
Suptel (RTI)
P1 - Apr -
M
26/7

1. Whether any information regarding the applicants of the C.I. case filed in Kolkata Bench vide MA no. 350/0206 of 2019 arising out of OA No. 356/0358 of 2019 was sought by Howrah CGST & CX Commissionerate from Kolkata Audit-II Commissionerate 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 Audit-II 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 Audit-II Commissionerate 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 Honourable CIC in its order in the case of Mr. Mir Rahmat Ali v. BSNL in File No. CIC/BS/A/2013/001698/5811 had interalia 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 Honourable 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 F. No. CIC/AT/A/2006/00705 dated 27.11.2008, CIC/BS/A/2006/00018 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, 2nd floor, 15/1, STRAND ROAD, KOLKATA- 700001

दूरभाष सं/PHONE NO. 033-2262-8490, फैक्स/ FAX 033-2262-8490, Email: rtigsthwh@gmail.com

C. No. IV (16)46/RTI/CGST/HWH/SP-2/2019-20 / 7077-78A 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.

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-700107 under Section 6(3) of the RTI Act, 2005, subsequently been registered under Registration No. 46/RTI/CGST/HWH/SP-2/2019-20.

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 letter Vide C. No. I(10)27/Shiladitya Maitra/CAT/CGST & CX/ HWH/Law/2019/1364A dated 25/04/2019 & subsequent letter of even no. 3814A dated 14.06.2019 sent to Central Tax Audit, Kolkata-II Commissionerate **contains 04 pages**.
- 3) Following letters received from Central Tax Audit, Kolkata-II Commissionerate during the period from 10.03.2019 to 20.07.2019
 - a) C.No.III(20)6/Misc./Accts./C.Tax/A-II/17(P-3)/9923 dated 16.07.2019 of Assistant Commissioner(P&V), Central Tax (Audit), Kolkata-II Commissionerate, **contains 02 pages**.
 - b) C.No.III(20)6/Misc./Accts./C.Tax/A-II/17(P-3)/8069 dated 15.05.2019 of Assistant Commissioner(P&V), Central Tax (Audit), Kolkata-II Commissionerate, **contains 01 page**.
 - c) C.No.I(10)8/C.Tax/Audit-II/Law/2019/7149 dated 24.04.2019 of Dy.Commissioner (Law), Central Tax (Audit), Kolkata-II Commissionerate, **contains 02 pages**.
- 4) All the letters received from Central Tax (Audit), Kolkata-II Commissionerate & its Division's are as in point no.3.

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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.18.00/- (Rs.2 per page x 9 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 & 1st 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,

Bina Krishna Mandal 19/8/19
(BINAY KRISHNA MANDAL)
CPIO & ASSISTANT COMMISSIONER
सीपीआईओ और सहायक कमिश्नर,
CENTRAL TAX केंद्रीय कर
HOWRAH GST COMMISSIONERATE
हावड़ा जीएसटी कमिश्नरेट.

C.No. As Above/

Dated: /08/2019

Copy to the CPIO & Assistant Commissioner, Pr. CCO, CGST & C.Ex., Kolkata Zone, GST Bhawan (2nd 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/13077-78 dated 29/07/2019.

Bina Krishna Mandal 19/8/19
(BINAY KRISHNA MANDAL)
CPIO & ASSISTANT COMMISSIONER
सीपीआईओ और सहायक कमिश्नर,
CENTRAL TAX केंद्रीय कर
HOWRAH GST COMMISSIONERATE
हावड़ा जीएसटी कमिश्नरेट

0/c