



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, शान्तिपल्ली, 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



24 JUN 2019

939B

M. S. Building,

15/1 Strand Road, Kol-1

F. No. V (30)136/Pr. CCO/CGST&CX/RTI/June/Kol/2019

Date: 20.06.2019

To  
✓ The CPIO,  
Office of the Commissioner,  
CGST & CX, Howrah Commissionerate.

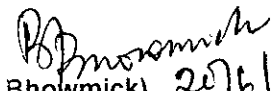
10787

**Sub: RTI Application dated 12.06.2019 filed by Shri Bharat Singh under Right to Information Act 2005 –reg.**

Please find enclosed herewith an RTI application dated 12.06.2019 which has been received at this end on 18.06.2019 and the request for information has been registered vide Regn. No.139/RTI/CGST/CC/KOL/19 dated 20.06.2019.

Being the Cadre Controlling Authority for the Grade of Inspector and information sought by the RTI applicant is in regard to the grade of Inspector, the application is being transferred to your office under section 6 (3) of the RTI Act, 2005 with request to furnish the information directly to the RTI applicant under intimation to this office.

Encl: As Above.

  
(B. Bhowmick) 20/6/19  
CPIO & Assitant Commissioner,  
CCO, Kolkata Zone

From-

BHARAT SINGH

5A/373/6, BETHEL APARTMENT,  
4<sup>TH</sup> STREET, CALDWELL COLONY,  
TUTICORIN-628008

18 JUN 2019 Date-12.06.2019

To,

The Central Public Information Officer (CPIO),  
O/o The Principal Chief Commissioner of CGST & Central Excise (Cadre Controlling Authority),  
Kolkata Zone, Kolkata

**Subject- Information under RTI Act-2005-Reg.**

Please give following information under Right Information Act-2005 for that I am paying the fee Rs. 10/- vide Indian postal order no. **25F 682755 dt.03.06.2019** is enclosed herewith.

1. Give the certified copy of Final Seniority List of Inspector of Central Excise cadre of the Zone as on date issued by CCA, Kolkata.
2. Give the certified copies of Note Sheet (All Pages) of the relevant file from which the final Seniority List of Inspector cadre was issued by CCA, Kolkata Zone as on date.
3. Give the List of Officers with name of Inspector Cadre recruited through Inter Commissionerate Transfer in the Cadre Controlling Authority, Kolkata from the calendar Year 2010 to Year 2012 in the following format.

Sl.No.	Name of the Officer recruited through ICT(IN) in the CCA, Kolkata	Date of Birth	Date of Joining in the CCA, Kolkata

4. Give the Reason,  
Why the seniority of the Inter Commissionerate Transferees Inspector placed below to Direct Recruit Inspector of the Merit batch, though ICT Inspectors Joined the Kolkata Zone before Direct Recruits of Merit Batch in the Seniority List issued by the Cadre Controlling Authority, Kolkata Zone.
5. Certified copies of CBIC's Instructions on the above point no.4 may be provided.
6. Certified Copies of correspondence between CBIC and Cadre Controlling Authority, Kolkata on the above point no.4 may be provided.
7. Certified copies of Note-Sheets of the relevant file on the above point no.4 may be provided
8. In Which case Inter Commissionerate transferees Inspector can be placed above of direct recruit of merit batch while the merit batch started their joining before the group of ICT Inspectors in a same allotment year?
9. Certified copies of CBIC's Instruction on the above Point no.8 may be provided.

Address for sending the Information/ Correspondence -

BHARAT SINGH

5A/373/6, BETHEL APARTMENT,  
4<sup>TH</sup> STREET, CALDWELL COLONY,  
TUTICORIN-628008

Signature of Applicant

(Bharat Singh)

**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)32/RTI/CGST/HWH/BS/2019-20 / 5382A

Date 17.07.2019

To  
 Shri Bharat Singh,  
 5A/373/6, Bethel Apartment,  
 4<sup>th</sup> Street, Caldwell Colony,  
 TUTICORIN-628008.

Sir,

**Sub: - RTI application under RTI Act, 2005 filed by Shri Bharat Singh**  
**- Furnishing of information - reg.**

Please refer to your RTI application dated 12.06.2019 received by this office on 24.06.2019 from the CPIO & Assistant Commissioner, Pr.CCO, CGST & CX, Kolkata Zone, 180, Shantipally, Kolkata-700107, which has been registered under Registration No. 32/RTI/CGST/HWH/BS/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. DPC Branch and H.Q.-ET Section, Howrah CGST & CEX Commissionerate are mentioned point wise herein below :

**Point No. 1&2:** Final Seniority List of Inspector of Central Excise, Kolkata Zone issued on 30.11.2015 along with copies of note sheet of the original file bearing file no. II (34)1-DPC/Kol-II/2002 was forwarded to the Board vide letter under C.No.II(39)02-DPC/Kol-II/2016/10406A dated 18.11.2016 (copy enclosed). Hence, this office is not in position to provide certified copies of above and may be obtained from Ad.IIIA Section of Board.

**Point No. 3:** As per readily available record list of the Inspectors is as under:

Sl.No.	Name of Inspector	D.O.B.	Date of Joined in Kol-II
1	Biswarup Kundu	24.01.1982	20.12.2010
2	Mithu Sadhukhan	20.03.1981	20.12.2010
3	Pawan Kr. Sharma	03.10.1975	20.09.2010
4	Kunal Sinha	20.06.1971	03.10.2011
5	Anubhuti Guhathakurta	02.06.1981	02.04.2012
6	Samiran Goswami	10.03.1984	02.04.2012
7	Somnath Nandy	02.01.1981	22.12.2011
8	Dipankar Bera	25.07.1981	02.05.2011
9	Lovely Dutta	12.06.1983	01.08.2011
10	Arindam Chatterjee	11.11.1983	19.09.2011
11	Arnab Kumar Nath	22.04.1981	19.09.2011
12	Amrita Sannigrahi	07.11.1983	03.09.2012
13	Souvik Majumder	25.02.1984	01.03.2012
14	Tamasa Mondal	07.02.1982	02.04.2012
15	Debabrata Karmakar	15.01.1974	27.04.2012
16	Neelanjana Chakraborty	05.11.1984	09.07.2012
17	Siddhartha Sankar Jana	14.11.1984	09.07.2012
18	Palden Bhutia	26.11.1981	06.08.2012
19	Sushil Kr. Biswas	10.02.1976	03.09.2012
20	Anubhuti Chatterjee	18.02.1982	03.12.2012

**Point No.4 to 9 :** The information sought by the applicant appears more of a query and does not fall within the definition of "information" as per Section 2(f) of the RTI Act-2005 wherein "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force. The related CIC judgement is reproduced in verbatim.

"The public authority is not bound to answer queries like whether he would be considered for the post since he has crossed the age limit or whether he will be granted any age relaxation and whether his merit will be considered or not. Interrogative queries viz. "How/Why/When" do not come under the ambit of RTI Act. In Dr. Celsa Pinto Vs. Goa State Information Commission (W.P.No.419 of 2007), the High Court of Bombay, in its order dated 03.04.2008, held:- "The definition (of information) cannot include within its fold answers to the question "Why" which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information." In view of the above, no obligation can be cast on the respondents to provide any further information to the appellant in the present case beyond what they have already given to him."

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 sincerely,

Encl: (01) sheet.

*Mandal. 17<sup>7</sup>/19*  
(BINAY KRISHNA MANDAL)  
CPIO & ASSISTANT COMMISSIONER  
सीपीआईओ और सहायक कमिशनर,  
CENTRAL TAX केंद्रीय कर  
HOWRAH GST COMMISSIONERATE

F.No. as above/ *5383A*

Dated *17/07/2019*

Copy to the CPIO & Assistant Commissioner, Pr. CCO Office, CGST & CX, Kolkata Zone, GST Bhawan, (2<sup>nd</sup> Floor), 180, Shanti Pally, R.B. Connector, Kolkata-700107 w.r.t. his letter under F.No.V(30)136/Pr.CCO/CGST&CX/RTI/June/Kol/2019/10787 dated 20.06.2019 for information please.

*Mandal. 17<sup>7</sup>/19.*  
(BINAY KRISHNA MANDAL)  
CPIO & ASSISTANT COMMISSIONER  
सीपीआईओ और सहायक कमिशनर,  
CENTRAL TAX केंद्रीय कर  
HOWRAH GST COMMISSIONERATE.

*ofc*