

To

The CPIO

Howrah CGST Commissionerate

M.S. Building

15/1 Strand Road

Kolkata-700001

Sir,

Sub- RTi-Regarding

I am a citizen of India. I seek the following information. The information is not barred by the RTI Act, 2005 as amended

1. Please inform whether two stages of approval as required under Rule 14 of CCS (CCA) rules 1965 were obtained before issuance of memorandum of charges under,  
(1) C. No. II (8) 33/VIG/ CON/ Kol-II/ 2006/ 730 DATED 10.09.2007  
(2) C. No. II (8) 10/ Vig/ CE/ Kol-VI/ 07/ 406 (C) dated 22.08.2008  
(3) C. No. II (8) 04/ VIG/ CE/ Kol-VI/ 10/ 397G (C) DATED 25.06.2010  
(4) C. No. II (8) 12/ Vig/ Haldia/ 2011/ 104 dated 17.01.2013
2. Please inform NAME and DESIGNATION of such approving authority (if, at all two stages of approval was obtained in the above four cases) and also such DATE OF APPROVAL in all the two stages.
3. Please fix up a date and time to show the concerned files with note sheet(s) of such approval.
4. Please supply me the copy of such note sheet(s) where two stages of approval were obtained. I am ready to pay the requisite fees for the Xeroxed copies of such note sheets.

In this regard Honourable Supreme Court Judgement in the case of B.V. Gopinath Vs. GOI may be consulted.

It is not a third party query.

Enclo:- IPO FOR RS. 10 bearing Nos i) 67C 663732 & ii) 67C 663733 (Both of denomination of Rs. 5/-)

Yours truly

*Arun Chakraborty*  
18/11/2019

(ARUN CHAKRABORTY)

687/2, BLOCK-O, NEW ALIPORE, KOLKATA-700053

PH-9433066540



**RTI MATTER**

**भारत सरकार GOVERNMENT OF INDIA**  
**OFFICE OF THE COMMISSIONER OF CENTRAL TAX,**  
**HOWRAH GST & CX 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, फैक्स/ FAX 033-2262-8490**

C. No. IV (16)73/RTI/CGST/HWH/AC/2019-20 / 11589A

Date: 21.11.2019

To  
Shri Arun Chakraborty,  
687/2, Block-O,  
New Alipore,  
Kolkata-700053.

Sir,

Sub: RTI application filed by Shri Arun Chakraborty-reg.

Please refer to your RTI application dated 18.11.2019, received by this office on 19.11.2019, duly registered vide registered no. IV(16)73/RTI/CGST/HWH/AK/2019-20 seeking certain information.

A plain reading of the impugned RTI application, it is seen that the information sought for by you are same or slightly modified pertains to the same issue emanating out of your earlier RTI application dated 05.03.2019 to which reply had already been furnished by the CPIO vide letter dated 25.03.2019. The 1<sup>st</sup> appellate Authority and Additional Commissioner of CGST & C.Ex., Howrah Commissionerate, in course of disposing your appeal, has also upheld the stand taken by the CPIO and, in the procees, rejected the appeal vide Order-In-Appeal No. 01/RTI/2019-20 dated 06.05.2019. In the same Order-In-Appeal liberty was provided to prefer a Second Appeal' before the Central Information Commissionerate, New Delhi within 90 days from the date of receipt of order for remedy of you grievances, if any.

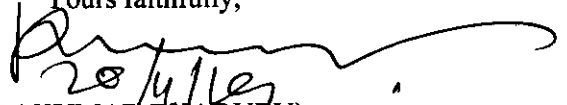
In this context, attention is invited to the fact that a combined reading of several judgements passed by the Hon'ble CICs, as illustrated herein below, clearly manifests that repeated/slightly modified filing of RTIs on the same issue consequently resulting in misuse of energy of Government officials is neither to be entertained nor allowed.

1. **CIC/DS/A/2013/001487 SA dated 29-08-2014 in the case of Mr.Pradeep Bajaj -vs- Sub Registrar IX GNCTD, New Delhi –**
2. **CIC/SA/A/2015/001849 dated 25-02-2016 in the case of Jagdish Kumar Koli Vs. Dept. Of School Education & Literacy, Ministry of HRD, GOI.**

In the light of the above backdrop, no further action on the part of the CPIO is warranted. Thus, the instant RTI application dated 18.11.2019 alongwith IPO no. 67C663732 dt. 05.03.19 and IPO no. 67C663733 dt. 05.03.19 (in original) are returned herewith.

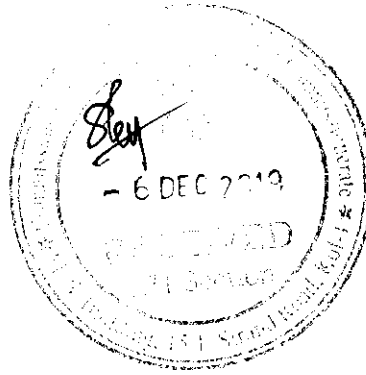
Enclo: 03(Three) Sheets.

Yours faithfully,

  
(RAM KUMAR BHADURY)  
CPIO & ASSISTANT COMMISSIONER  
सीपीआईओ और सहायक कमिश्नर,  
CENTRAL TAX केंद्रीय कर  
HOWRAH GST COMMISSIONERATE  
हावड़ा जीएसटी कमिश्नरेट

o/c

To  
The CPIO & Assistant Commissioner  
Central Tax,  
Howrah GST Commissionerate  
15/1, Strand Road,  
M.S. building  
Kolkata-700001



Sir,

Sub: RTI application filed by SRI Arun Chakraborty-reg.

Please refer to your C.No.. IV(16)73/RTI/CGST/HWH/AC/2019-20/11569A dated 21.11.2019 on the above subject.

While denying to supply me proper information, you have taken recourse to somehow avoiding to supply me proper information, thereby defeating the true spirit of RTI Act, 2005.

I had requested you to supply me information to 4 questions the 1<sup>st</sup> one of which could simply be answered in a plain 'yes' or 'no'. The same question was neither put before you earlier, nor you have replied to it.

Regarding point no. 3 and 4 of my RTI application, your attention is drawn to the fact that reply to those points were denied earlier by you on the plea that "if those files are allowed to be inspected it would impede and prejudicially affect the process of investigation". Since now, no departmental proceeding/investigation is pending against me, you are duty bound to supply me the desired information. The fact remains that you have not at all supplied me informations as sought for and taking plea that informations already supplied. Sending back my application in its entirety you have deliberately denied my right to appeal before the higher forum.

Therefore I request you ~~to~~ once again to supply me the desired information.

My original RTI application alongwith the IPO which was returned by you is once again enclosed for your providing me the necessary informations.

Yours truly

*Arun Chakraborty*  
05/12/2019

( ARUN CHAKRABORTY)  
687/2, Block-O. New Alipore.  
Kolkata-700053

Dated-5.12.2019

To

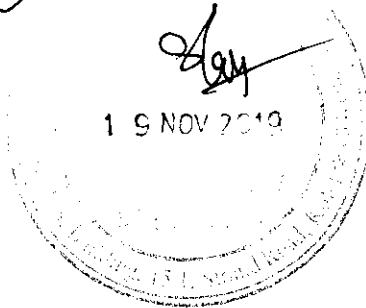
The CPIO

Howrah CGST Commissionerate

M.S. Building

15/1 Strand Road

Kolkata-700001



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Yours truly

*Arun Chakraborty*  
18/11/2019

(ARUN CHAKRABORTY)

687/2, BLOCK-O, NEW ALIPORE, KOLKATA-700053

PH-9433066540

**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)73/RTI/CGST/HWH/AC/2019-20

Date: 16.12.2019

To  
Shri Arun Chakraborty,  
687/2, Block 'O', New Alipore,  
Kolkata-700053.

Sir,

**Sub:-** RTI application filed by Shri Arun Chakraborty, 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 18.11.2019 received by this office on 06.12.2019 filed directly to this office under RTI Act, 2005 and subsequently been registered under Registration No.73/RTI/CGST/HWH/AC/2019-20.

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

**Reply to Point Nos. 1 & 2 :-**

Sl. No.	Charged Memorandum issued under	Approval for initiation of proceedings given by	Approval of the Charge Memorandum given by
1.	C.No. II(8)33/VIG/CON/Kol-II/2006/730 dated 10.09.2007	Information not available	Shri K. K. Kabirpanthi, Commissioner, Kolkata-II Commissionerate on 07.09.2007
2.	C.No.II(8)10/Vig/CE/Kol-VI/07/406(C) dated 22.08.2008	1 <sup>st</sup> stage advice was issued by DG(Vig), CVO, CBEC on 16.07.2008	Shri S.B. Mishra, Commissioner, Central Excise, Kolkata-VI Commissionerate on 22.08.2008
3.	C.No.II(8)04/VIG/CE/Kol-VI/10/397G(C)dated 25.06.2010	Information not available	Shri Talkeshwar Singh, Commissioner, Kolkata-VI Commissionerate on 05.06.2010
4.	C.No.II(8)12/Vig/Haldia/2011/104 dated 17.01.2013	1 <sup>st</sup> stage advice was issued by DG(Vig), CVO, CBEC on 16.02.2009	Shri G. Shree Harsha, Commissioner, Haldia Commissionerate on 15.01.2013.

**Reply to Point No 3 :-** In respect of this point this is to state that as the relevant copies of note sheet(s) and copies of 1<sup>st</sup> stage advice are being provided in reply to point No.4, hence fixing up of date and time for showing the concerned file along with note sheet(s) does not arise.**Reply to Point No. 4:-** In this context, it is stated that the desired "relevant copies of note sheet(s) and copies of 1<sup>st</sup> stage advice" contained **07 pages**.In this regard, it is to be intimated that in order to supply the copies of desired documents as mentioned at reply to point no.4 above, the requisite fees for an amount of **Rs.14/- (Rs.2/- per page x 07/-)** is required to be paid 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,

(RAM KUMAR BHADURY)

CPIO &amp; ASSISTANT COMMISSIONER

CENTRAL TAX

HOWRAH GST COMMISSIONERATE

o/e