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MOST URGENT
RTI MATTER



GOVERNMENT OF INDIA
OFFICE OF THE PRINCIPAL COMMISSIONER OF CGST & CENTRAL TAX:
KOLKATA- NORTH COMMISSIONERATE, CGST BHAWAN;

1ST FLOOR: 180, SHANTIPALLY, RAJDANGA MAIN ROAD, E.M BYPASS KOLKATA-700107

C. No. V(30)03/RTI/HQ/CGST & CX/Kol-North/2020/

Dated: -

To
Shri Ajay Kumar Jha,
J4-205,
Sapoorji Sukhobristi Housing Society,
New Town, Action Area-III,
Kolkata-700135.
Sir/Madam,

Sub: Information under the RTI Act, 2005 — Regarding.

Please refer to your RTI application dt. 26.12.2019 received by this Commissionerate on 31.12.2019 which was transferred by the CPIO & Assistant Commissioner, CCO, Kolkata vide their letter under F.No. V(30)242/ CGST & CX / Pr. CCO / RTI/ Dec-19/Kol/2019 /22727 dt. 30.12.2019. Subsequently the said RTI application was registered at this office vide Registration No. 03/RTI/Kol-North/20 dt. 02.01.2020.

The desired information as received from the Assistant Commissioner (P&V),CGST & CX, Kolkata North Commissionerate on 13.01.2020 under C.No. II(39)21-ET/ CON /RTI / CGST & C.Ex /Kol North /2017/1629 dt. 10.01.2020 is enclosed herein.

If you are aggrieved or dissatisfied with the above information, you may prefer an appeal within 30 (thirty) days of receipt of the information before the 1st Appellate Authority namely Sri B.S.Meena, Joint Commissioner, CGST & CX, Kolkata-North Commissionerate, O/o The Principal Commissioner of CGST & CE, Room No. 102, Kendriya Utpad Shulk Bhawan, 180, Shantipally, Rajdanga Main Road, Kolkata-700107.

Encl- 02 (two) Sheet.

Yours faithfully,

3 dt

(Samiran Roy)
CPIO & Assistant Commissioner
CGST: Kol-North Comm'te

Dated : 20 JAN 2020

C. No. As above/2868
Copy forwarded for information to: -

1. The Assistnat Commissioner (Systems), Computer Cell, CGST & CX, Kolkata North Commissionerate with a request to upload the RTI application submitted by Shri Ajay Kumar Jha dt. 26.12.2019, along with the desired information as mentioned above (enclosed five sheets).
2. The CPIO & Assistant Commissioner, CCO, O/o the Pr. Chief Commissioner CGST & CX, Kolkata Zone.

Samiran Roy
(Samiran Roy) 20/1/20
CPIO & Assistant Commissioner
CGST: Kol-North Comm'te.

Supdt (CGST)
Jamshedpur 31/12/19

B-651
31/12/19

Sr. I. North, Jimp.
31/12/19



Most Urgent
RTI Matter

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 (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)242/CGST&CX/ Pr. CCO/ RTI/Dec-19/Kol/2019 | 22727 Date: 30.12.2019

To

The CPIO,
Office of the Commissioner,
CGST & Central Excise, Howrah/Kolkata North Commissionerate,
Kolkata

Sir,

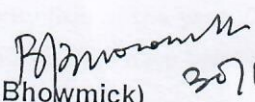
Sub: RTI Application filed by Shri Ajay Kumar Jha under Right to Information Act 2005 -reg.

Please find enclosed herewith a RTI application dated 26.12.2019 received in this office on 27.12.2019 and subsequently registered under Registration No. 37/RTI/CGST & CX/Kol/2019-20 dated 27.12.2019, filed by Sri Ajay Kumar Jha, J4-205, Sapoorji Sukhobristi Housing Society, New Town, Action Area-III, Kolkata-700135. Since, the promotion and seniority related matters of Inspectors under this zone is being dealt with from your Commissionerate, the RTI Application is being transferred to you under section 6(3) of the RTI Act. 2005.

You are requested to supply the information directly to the applicant, whatsoever is available with you and shareable under RTI Act, 2005.

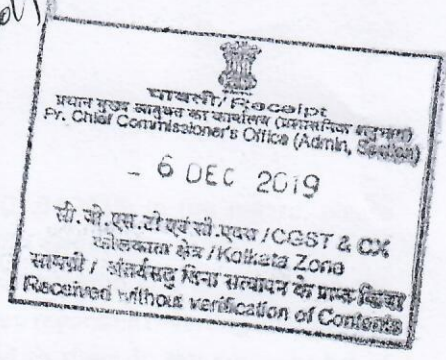
Encl: As Above.

Yours faithfully,


(B. Bhowmick) 30/12/2019
CPIO & Assitant Commissioner,
CCO, Kolkata Zone

03/RTI/Kol- North/20
dl. 02.01.2020.

RTI Matter
MOST URGENT!
Supt. (RTI)
Pl. of Anappu
A Hon'ble Commissioner
27/12/2019



To
The CPIO
Office of the Chief Commissioner of CGST
180, Shantipally, Kolkata-700107.

Subject: Request to furnish information under section 6(1) of the Right to Information Act, 2005 on the following questions/points.

Sir,

You are requested to furnish following information/documents.

1. Please provide information in respect of current seniority list of inspectors in circulation in West Bengal Zone from which latest promotion orders to the grade of Superintendents has been issued. In this respect, please provide related OM/order/correspondence/circular number of that seniority list & its publication date. Please also provide information in respect of related OMs/circulars numbers issued by DOPT/CBEC(erstwhile) based on which the current seniority list of inspectors has been issued. Please also provide the copies of note sheets related to preparation and publication of the current seniority list of inspectors.
2. As it is known fact that after publication of a new seniority list, i.e., **Final seniority list of inspectors dated 30.11.2015** in the present case, any earlier seniority list published get superseded by the latest seniority list and there's scope remains only for preparation and publication of a new amended seniority list but not to revert back to earlier seniority lists at the **comfort of authorities**. In this regard, you are requested to provide information if two or more different seniority lists of inspectors are co-currently maintained by the west Bengal (Kolkata) zone for promotion to the grade of Superintendents without the older getting superseded by newer one and are used or going to be used at the luxury/will of the authorities at their whim for giving promotions from one seniority list or other. You are also requested to provide the related OM/Circular/instructions etc. issued by DOPT/Board allowing the authorities for giving promotions from any older superseded list of seniority.
3. Please provide information like OM/Circular/instructions numbers & dates based on which the seniority list of inspectors dated 30.11.2015 in west Bengal (Kolkata) has been issued. Please also provide information whether, the said OM/Circular/instructions are still in force.
4. Please provide information if the superseded draft seniority lists of inspectors of west Bengal (Kolkata) zone published in 2008 and 2010 were in accordance of the OMs 20011/1/2008-Estt.(D) dated 11.11.2010 & 20011/1/2012-Estt(D) dated 04.03.2014 which are still in force.
5. Please provide information in respect of any proposal/step by the department for conducting DPC of inspectors in the west Bengal (Kolkata) zone for the promotion to the grade of Superintendent on the basis of already superseded draft seniority lists of the year 2008 or 2010 which by virtue of publication of Final seniority list dated 30.11.2015 have been ceased to exist.
6. The regular promotion to the grade of Superintendent was accorded to **Shri Nitesh Kumar (Sl. No. 35 of the seniority list of inspectors dated 30.11.2015)** and **Shri Gyanendra Kumar Singh (Sl. No. 36 of the seniority list of inspectors dated 30.11.2015)** vide establishment order no. 21/2016 dated 26.02.2016 and they were placed above Shri Harihar Ghosh who had been

Regn no. 37/RTI/MST&CX/Kol/2019-20
dt- 27/12/19

promoted vide establishment order no. 19/2015 dated 01.04.2015. In this regard, please provide the grounds on which Shri Nitesh Kumar and Shri Gyanendra Kumar Singh were promoted on later date and placed above Shri Harihar Ghosh who was promoted on the earlier date. Please provide information of any proposal/step regarding reverting back of such regularly promoted officers as per the position accorded to them in the seniority list of inspectors of the year 2008 or 2010.

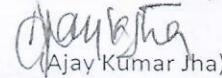
7. Please provide information in respect of steps taken by the department for earlier disposal in respect of the W.P. no. 81/2014 at the Hon'ble Calcutta High Court filed by department since last five years in view of diminishing strength of Superintendents in the Zone.

Considering the urgency of the matter having the ingredients for invoking the time limit, it is requested to provide/supply the information within 48 hours or within normal period of seven days as per provisions under section 7 of the RTI Act, 2005.

If the information is not available in your office, kindly forward to the concerned public authority as per section 6(3) of the RTI Act, 2005.

I am a citizen of India and address is given below. Requisite RTI application fee for Rs. 10/- is being remitted by cash vide currency note no JAJ738J8

Yours sincerely


(Ajay Kumar Jha)

26-12-2019

J4-205, Sapoorji Sukhobristi Housing
Society, New Town, Action Area-III
Kolkata- 700135

Mobile No.-7061745761

Email id- ajayit@gmail.com

Regn no. 37/RTI/Cust+CX/Kol/2019-20
dt-27/12/19

18330
13/1/2020



भारत सरकार

GOVERNMENT OF INDIA
प्रधान आयुक्त का कार्यालय

OFFICE OF THE PRINCIPAL COMMISSIONER

CENTRAL GST AND CENTRAL EXCISE, KOLKATA NORTH COMMISSIONERATE

केन्द्रीय वस्तु एवं सेवा कर भवन, 180, शांतिपल्ली, आर. बी. कनेक्टर, कोलकाता - 700 107.

Central GST Bhawan, 180 Shanti Pally, R. B. Connector, Kolkata - 700 107.

Phone No. 033-2441-8137; Fax No. 033- 2441-6870.



Supdt (RTI)
Damenet 13/1/20

R. N. Jha
14/1/20

R-14/01/20

C. No. II(39)21-ET/CON/RTI/CGST & C.Ex/Kol North/2017/1629

Dated:

10 2020

To
The CPIO & Assistant Commissioner,
Hdqr. RTI Cell,
CGST & Central Excise,
Kolkata North Commissionerate,
GST Bhawan (1st floor), Kolkata - 700 107.

Sir,

Sub-: Seeking information under the RTI Act, 2005, in case of Shri Ajay Kumar Jha, Patna - 800003 - Corres / reg.

Please refer to your office letter under C.No. V(30)03/RTI/HQ/CGST&CX/Kol North/2020/254 dated 02.01.2020 on the above mentioned subject. As per available office records and as far as this Hdqr. DPC Unit under this Cadre Controlling Commissionerate is concerned, the point-wise reply as sought by the RTI applicant vide his RTI application dated 26.12.2019 is as under:-

Point-wise Reply as on date -;

Reply of Point No. 1 to 5 and 7 -

Not relates to this Unit.

Reply of Point No. 6 -

The Annual DPC Meeting for the year 2015-16 for promotion to the grade of Superintendent was held on 01.04.2015. In the said Annual DPC meeting, the Departmental Promotion Committee (DPC) had followed the Seniority List of Inspectors as on 01.01.2010. However, the Committee had taken note of the fact that a revised Seniority List has been published by Kol-II Comm'te as on 28.03.2015 taking into account the Hon'ble Supreme Court judgment in the case of N.R. Parmar vs. UOI & Ors. Representations had been called for to ascertain errors or omissions if any but the list was yet to be finalized. Therefore the said DPC had decided to follow the earlier Seniority List dated 01.01.2010.

Contd. to Page-2,

(2)

The Review of Annual DPC Meeting for the year 2015-16 for promotion to the grade of Superintendent was held on 25.02.2016. At that time, the revised final Seniority List of Inspector has been published on 30.11.2015 by Kolkata – II Commissionerate (the Cadre Controlling Commissionerate). On scrutiny of the Seniority List, it is found that two direct recruit Inspectors namely Shri Nitesh Kumar (D.O.B. - 16.03.1974) and Shri Gyanendra Kumar Singh (D.O.B. - 10.12.1975) have been placed above Shri Harihar Ghosh (D.O.B. – 10.10.1969) who has already been promoted to the grade of Superintendent w.e.f. 01.04.2015 based on the earlier Seniority List dated 01.01.2010.

Therefore a review of the earlier selection for promotion to the grade of Superintendent decided by the Review DPC on 01.04.2015 is imperative to consider Shri Nitesh Kumar and Shri Gyanendra Kumar Singh for promotion to the grade of Superintendent since their junior has been promoted before them.

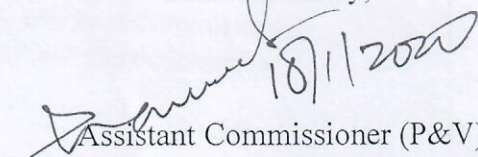
The relevant parts of the two Seniority Lists showing the above details are found to be as under.

Seniority position in the Seniority List as on 01.01.2010		Seniority position in the Seniority List published on 30.11.2015	
Sl. No.	Name of the officer (Shri)	Sl. No.	Name of the officer (Shri)
778.	Harihar Ghosh	35.	Nitesh Kumar
1090.	Nitesh Kumar	36.	Gyanendra Kr. Singh
1091.	Gyanendra Kr. Singh	37.	Harihar Ghosh

It is worthwhile to mention that no proposal / step has been taken regarding reverting back of such regularly promoted officers as per the position accorded to them in the Seniority list of Inspectors of the year 2008 or 2010.

It is also important to mention that the Seniority List of Inspector which was published on 30.11.2015 is under sub-judice before the Court of Law at this juncture.

Yours faithfully,


Assistant Commissioner (P&V)
CGST & CX, Kolkata North Comm'te.