

18231
16/1/2020

Suppl (System)
Shri Ashok Prasad
15/1

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)195/RTI/HQ/CGST & CX/Kol-North/2019/

Dated

To

Shri Ashok Prasad,
son of Shri Hari Prasad,
5b, Shibtala Lane,
Kolkata-700015.

Sir/Madam,

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

Please refer to your RTI application dt. 16.12.2019 received by this Commissionerate on 23.12.2019. Subsequently the said RTI application was registered at this office vide Registration No. 171/RTI/Kol-North/19 dt. 26.12.2019.

The desired information as received from the Assistant Commissioner (Anti-Evasion), CGST & CX, Kolkata North Commissionerate on 06.01.2020 under C.No. V(12)94/AE/CGST/Gr III/Jagannath/Kol N/2019/549 dt. 06.01.2020 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- 01 (one) Sheet.

Yours faithfully,

Sdt

(Samiran Roy)

CPIO & Assistant Commissioner
CGST: Kol-North Comm'te

C. No. As above/

11396

Copy forwarded for information to: -

Dated: 17 0 JAN 2020

1. The Assistant Commissioner (Systems), Computer Cell, CGST & CX, Kolkata North Commissionerate with a request to upload the RTI application submitted by Shri Ashok Prasad dt. 16.12.2019 along with the desired information as mentioned above (enclosed seven sheets).

(Samiran Roy)

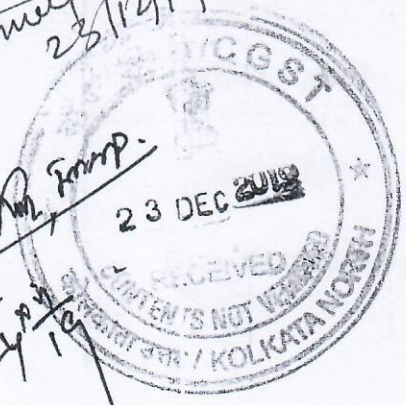
CPIO & Assistant Commissioner
CGST: Kol-North Comm'te.

17389
23/12/19

Supdt (at)
Dameney 23/12/19

To
Central Public Information Officer,
Commissioner, Central Excise, Kolkata Zone,
180, Shantipally, Rajdanga Main Road,
R.B. Connector, Kasba,
Kolkata-700 107.

Mr. S. N. Mohan, Prop.
24/12/19



Sir,

AN APPLICATION UNDER RIGHT TO INFORMATION ACT, 2005

1. Name of the Applicant : Ashok Prasad
2. Address: 5b, Shibtala Lane, Kolkata-700 015.
3. Subject : Letter dated 08.03.2019 issued by my Leaned Advocate on my behalf to Principal Commissioner of Central Excise complaining evasion of tax by one Vijay Kumar Agarwal a Proprietor of M/s. Jay Jagannath Udyou (Copy Enclosed)
4. **Information Sought:** Kindly inform what action/steps have been taken by you in connection with the subject letter.
5. To the best of my knowledge the information sought does not fall within the restrictions contained in section 8 and 9 of the Act and it pertains to your office.
6. This is to certify that I, Ashok Prasad am a citizen of India.
7. The Postal Order of Rs. 10/- has been affixed hereto

171/RTI/Kol-2019-117
dt. 26.12.2019

Place : Kolkata
Date : 16.12.2019

Ashok Prasad
Ashok Prasad
Son of Sri Hari Prasad,
5b, Shibtala Lane,
Kolkata-700 015.
Mob. No. 8334864756

(2)

Surajit Kumar Mondal
Advocate
High Court Calcutta

11, Old Post Office Street, 3rd floor, Kolkata-700001
Phone - 9748836312

To

Date: ~~24/03/2018~~ 6/3/19

- 1) Directorate of Commercial Taxes,
Government of West Bengal
14, Beliaghata Main Road, Sales Tax Building, Seal Lane,
Tangra, Kolkata-700015,

- 2) The Chief Commissioner of CGST & CX,
Kolkata Zone, Gst Bhaban,
180, Shanti Pally, Rajdanga Main Road,
Kolkata - 700107

My client: Ashok Prasad, S/o. Hari Prasad, residing at House No.62, kaju, P.S.-kujju,
District-Ramgarh, Pin-825316, Phone no. 7450823721

Re : Taking step against one M/s. Jay Jagannath Udyog a proprietorship concern leaded by
its proprietor Vijay Kumar Agarwal having its office at DE-2/A, D.B.Nagar, Kolkata-
700059 for selling not for retail and resell product in the market with low rate.

Sir,

Under the instruction of my aforesaid client it is stated that one M/s. Jay Jagannath Udyog, a proprietorship concern leaded by it proprietor Vijay Kumar Agarwal having its office at DE-2/A, D.B. Nagar, Kolkata-700059 pretending to be contractor had been purchasing 'not for retail or resell cement' or industrial consumption from your company and further reselling these product in the open market as a dealer at cheaper rate of its existing price.

As it is the rule and law of the land that any product which is not venerably liable to sale in the market cannot be sold in the market but not obeying such law the said M/s. Jay Jagannath Udyog leaded by its proprietor Vijay Kumar Agarwal has been continuously selling "not for retail or resell cement" or industrial consumption in the open market causing a huge amount of revenue loss both on the part of the Central and State Government and also causing huge financial loss to the retailer and dealer of your company in the locality and market who are selling general saleable M.R.P. product.

My client is one of the retailer of your company and had been selling your product in the market but as my client is buying saleable M.R.P product from you hence the price of the cement is higher that the cement which the said M/s. Jay Jagannath Udyog leaded by its proprietor Vijay Kumar Agarwal has been selling in the market thus the cement business the market is being hampering due to such illegal act of M/s. Jay Jagannath Udyog.

08 MAR 2019

Thur

RECEIVED
DIRECTORATE OF COMMERCIAL TAXES
GOVERNMENT OF WEST BENGAL
14, BELIAGHATA MAIN ROAD, SALES TAX BUILDING, SEAL LANE,
TANGRA, KOLKATA-700015

Surajit Kumar Mondal
Advocate
High Court Calcutta

11, Old Post Office Street, 3rd floor, Kolkata-700001
Phone - 9748836312

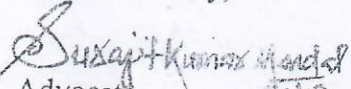
The said M/s. Jay Jagannath Udyog leaded by its proprietor Vijay Kumar Agarwal is registered under GST scheme and the GSTIN number of such concern is 19ACYPA2043F1ZN.

It is for your kind information M/s. Jay Jaagannath Udyog whose Proprietor is Vijay Kumar Agarwal whose GSTIN Number is 19ACYPA2043F1ZN shown as per GST Portal that this is a proprietorship firm and nature of business activities is **retail business & wholesale business**. We came to know from reliable sources that M/s. Jay Jaagannath Udyog whose Proprietor is Vijay Kumar Agarwal is procure your "not for resale or not for retail sale or industrial consumption cement" by suppressing the facts thus he is suppressing legitimate tax of state & Central Government.

As final call I on behalf of my client do hereby request you to take legal steps against the said M/s. Jay Jagannath Udyog leaded by its proprietor Vijay Kumar Agarwal for selling of "not for retail and resell cement" or industrial consumption in the locality and preventive measures be taken against the said M/s. Jay Jagannath Udyog through which revenue of the state and income of the individual should not suffered.

Unless any preventive measuring is being taken by you, within 15 days from the date of receipt of the notice necessary legal action shall be taken in this regard without making any further reference.

Yours faithfully,


Advocate

Copy to:

1. Jay Jaagannath Udyog DE-2/A, D.B. Nagar, Kolkata-700059.
2. Chairman and Managing Director, Chennai
3. Mr. A. V. Dharmakrishnan(ceo)
4. North 24 Pgs & Cossipore Cement Dealers Association
5. West Bengal Cement Dealers Association

Encl:

1. Xerox Copy of Truck No with Non Trade Cement Bag
2. Xerox Copy of Jay Jaagannath Udyog in Tax Invoice
3. Xerox Copy of Nature of Business Activities/GST Details

- onboard (//services.gst.gov.in/services/auth/dashboard)
- > Search Taxpayer (/services/auth/quicklinks/searchtxp)
- > Search by GSTIN/UID

Search Taxpayer

* indicates mandatory fields

GSTIN/UID of the Taxpayer *

19ACYPA2043F1ZN

SEARCH

Search Result based on GSTIN/UID: 19ACYPA2043F1ZN

Legal Name of Business	GSTIN/UID
VIJAY KUMAR AGARWAL	19ACYPA2043F1ZN

Profile	Place of Business
---------	-------------------

Centre Jurisdiction
RANGE-V (Jurisdictional Office)

State Jurisdiction
SALT LAKE

Date of registration

01/07/2017

Constitution of Business

Proprietorship

GSTIN / UIN Status

Active

Date of Cancellation

Taxpayer Type

Regular

Compliance Rating

NA

Field Visit Conducted?

No

Name of the Proprietor / Director(s) / Promoter(s)

1. ["VIJAY KUMAR AGARWAL "]

Nature of Business Activities

1. ["Retail Business", "Service Provision", "Wholesale Business"]
2. ["Retail Business", "Service Provision", "Wholesale Business"]
3. ["Retail Business", "Service Provision", "Wholesale Business"]

Type	Nature of Business Activities	Address	Contact Details
Principal	Retail Business, Wholesale Business	DE/2A, V.I.P ROAD, DESH BANDHU NAGAR, Kolkata, West Bengal, 700059.	9874061345 Email Address : saswat.agarwal94@gmail.com (mailto:saswat.agarwal94@gmail.com)

17886
06.01.2020

Supdt (AST)
Dameny



भारत सरकार
Government of India

केन्द्रीय प्रधान कर आयुक्त का कार्यालय
Office of the Principal Commissioner of Central Tax

कोलकाता नॉर्थ- केन्द्रीय वस्तु एवं सेवा कर & उत्पाद शुल्क
Kolkata North – Central Goods and Services Tax & Central Excise
जीएसटी भवन, 180 शांतिपल्ली, कोलकाता /GST Bhawan, 180 Shanti Pally, Kolkata-700107

Phone: 033-24411076, Fax: 033-2441 6840, E-mail: hqaekolkatanorth@gmail.com

C.No.V(12)94/AE/CGST/ Gr III/Jagannath/Kol-N/2019/

Date :- 31-12-2019

✓ To,
The Assistant Commissioner
HQ, RTI Cell,
CGST & CX, Kolkata North Commissionerate

549

- 6 JAN 2020

Sub: RTI application dated 16-12-2019 filed by Shri Ashok Prasad, Kolkata-700015, transfer under sec 5(4) of RTI Act, 2005-reg.

Please refer to letter under C No V (30)195/RTI/HQ/CGST & CX/Kol North/2019/25428 dated 26-12-2019 on the above subject wherein a RTI application dt 16-12-2019 has been filed by Sh Ashok Prasad seeking information on what steps/action have been taken by the department against M/s Jay Jagannath Udyog (prop- Sh Vijay Kumar Agarwal).

In this regard it is informed that a visit to the registered address of M/s Jay Jagannath Udyog was made by officers of Anti-Evasion and the investigation is under Process.

(Naveen Rana)

Deputy Commissioner, Anti-Evasion
CGST & CX, Kolkata North Commissionerate.

02/01/2020

Copy to: The Superintendent, Gr I, Anti-Evasion, CGST & CX, Kolkata North Commissionerate.

(Naveen Rana)

Deputy Commissioner, Anti-Evasion
CGST & CX, Kolkata North Commissionerate.