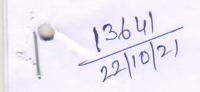
2.2 OCT 2021





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)125/RTI/HQ/CGST & CX/Kol-North/2021

Dated: -

To

Shri Kartick Shaw,

32, Ramkrishna Road, Sree Balaji Apartment,

DumDum Cantonment, Kolkata 700065

Sir/Madam,

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

Please refer to your RTI application dated-29.09.2021, which has been commissionerate on 06.10.2021 and received to this section on 07.1.2.12. Substitution was registered at this office vide Registration No.1.3. RTI No.1-

The desired informations as received from the AC(Fd.V). Kolkuta North CONTINUE.

Commissionerate is enclosed herewith.

If you are aggrieved or dissatisfied with the above information, you may be a second (thirty) days of receipt of the information before the 1st Appellate Authors, namely to the Tabassum, Joint Commissioner & FAA, CGST & CX, Kolkata-North Commissionerate, O'o The Principal Commissioner of CGST & CX, 2nd Floor, Kendriya Utpad Shulk Bhawan, 180, Shantipally, Rajdanga Main Road, Kolkata-700107.

Enclo: 10(Ten) sheets.

Yours faithfully.

(Indu Bikash Dus) CPIO & Assistant Commissioner

HQ, RTI Cell CGST: Kol-North Comm'te.

Dated 2 1 OCT 2021

C. No. As above/ 17977

Copy forwarded for information to: -

The Assistant Commissioner (Systems), Computer Cell, CGST & CX. Kolkette Commissionerate with a request to upload the RTI application dated-29.09.2021, submitted by Shri Kartick Shaw, 32, Ramkrishna Road, Sree Balaji Apartment, DumDum Cantonment, Kolkata 700065 (enclosed Thirteen sheets).

2. The CPIO & Assistant Commissioner, CCO, O/o the Pr. Chief Commissioner CGST & CX. Kolkata Zone.

(Indu Bikash Das)

CPIO & Assistant Commissioner

HO, RTI Cell

CGST: Kol-North Comm'te.

Butting Sun

File No.GCCO/RTI/APP/756/2021-TECH-O/o Pr CC-CGST-ZONE-KOLKATA

2826/21



Most Urgent RTI Matter

6 OCT 2021

भारतसरकार

GOVERNMENT OF INDIA प्रधान मुख्यआयुक्तकाकार्यातय

OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER केन्द्रीय वस्तु एवं सेवा कर , कोलकाता क्षेत्र

CENTRAL GOODS AND SERVICES TAX AND CENTRAL EXCISE, KO5LKATA ZONE

केन्द्रीयवस्तु एवं सेवा कर भबन,दुसरातल, 180, शांतिपत्ली, आर. बी. कानेवटर,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. GCCO/RTI/APP/756/2021-TECH- Pr CC-CGST-ZONE-Kolkatal / 4 | 59

Date: 04.10.2021

To
The CPIO,
Office of the Commissioner,
CGST & CX Kolkata North Commissionerate

Sir,

Sub: RTI Application filed by Shri Kartick Shaw under Right to Information Act 2005 - reg.

Please find enclosed herewith an RTI application dated 29.09.2221. received in the amount of the control of the

It appears that the information required pertains to Kolkata North Commissionerate. Hence, the RTI Application is transferred to you under section 6(3) of the RTI Act. 2005.

You are requested to supply the information directly to the applicant under \$77,449, 2005.

Encl: As Above.

Yours faithfully.

(B.Krishna)

Assistant Commissioner (CPIO) Pr. CCO, Kolkata Zone

0 1 OCT 2021

TO

THE CHIEF COMMISSIONER,

CENTRAL EXCISE AND CGST, KOLKATA COMMISSIONERATES

180-SHANTIPALLY, RAJDANGA MAIN ROAD

KOLKATA-700107.

Sir,

A Sol My M

Sub: Request for providing Information sought under Right to Information
Act, 2005 dated 22.06.2005 /as amended—corres. regd...

1.	Name of the Applicant	KARTICK SHAW
2	Corresponding Address to which the information is to be send	32, Ramkrishna Road, Sree Balaji Apartment, Dum Dum Cantonment, Kolkota-65
3	Presently stationed at	Address as above
4	Whether the applicant is under below poverty line	No
5	Whether the applicant deposited the required fees	YES, Vide India postal Order No 23 F 042833
		Dated 11.08.2017
6	Whether the information asked for is available in the Government Website	NO

Certified Copy/Copies of the documents and information required:-

- (1) Please provide the detailed list of Superintendent, presently in the "Superintendent" grade, Group-B, Kolkata Zone, who are required to serve in the Non-CCA zone(Customs as well as in Central GST & Central Excise formation)
- (2) Please provide the procedure, policy and norms are being followed in the 'Superintendent' grade for transfer and posting from Central Excise / Customs CCA to Non CCA posting.
- (3) Is there is any age bar for Non CCA posting. If yes what is the age.
- (4) Whether Non-CCA customs posting in a particular place of posting is for two years.

Continued

- (5) Whether CGST & Central Excise posting in Non-CCA zone is for one and half year.
- (6) Please provide the list of superintendents who has completed two years in Customs and one and half years in CGST & Central Excise posting as on September 2021
- (7) Please provide for last ten (10) years Annual General Transfer and Posting Order No. and Date for the 'Superintendent' grade, Group-B, Kolkata Zone,
 - Please mention actual time and date for the above AGT orders which should have been released.
 - b) If AGT order not held timely, please provide reasons/clarification for delay.
 - c) In a year how many times AGT order takes place for the 'Superintendent' grade,
 Group-B, Kolkata Zone (specify the months of the year)
 - d) Please provide the duration of stay in the non CCA posting as decided in the OCM
 - e) Provide the list of never served Superintendent in non CCA posting.

I have already deposited the required fee as stated above and if any further amount is required I will deposit the same for your kind information.

The above requested information may kindly be provided in my correspondence address given above at the earliest.

Yours faithfully,

KARTICK SHAW 1/2



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, शांतिपत्नी, आर. बी. कानेवटर, कोलकाता – 700 107

GST Bhawan, 180, Shanti Pally, R. B. Connector, Kolkata – 700 107 <u>Phone No. 033-2441-8137: Fax No. 033- 2441-6870</u>

F. No. II(3)17-ET/CGST&CE/RTI/Kol-North/2017

13213

Date:

1 1 OCT 2021

To

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

Subject: - RTI application dated 29.09.2021 filed by Shri Kartick Shaw, 32, Ramkrishna Road, Sree Balaji Apartment, Dum Dum Cantonment, Kolkata 700065, being transferred under Sec. 5(4) of RTI Act, 2005 - reg.

Kindly refer to your letter under C. No. V(30)125 RTI HQ/CGST&CX/Kel North/2021/17293 dated 07.10.2021 on the above mentioned subject.

As per available records in this section, the point-wise replies are given below -

Point No. 1: As per Section 8(1)(j) of the RTI Act, 2005, the information sought for cannot be given.

Point No. 2: Presently, Transfer & Posting Policy of Superintendent, issued under F. No. II(39)-27-ET/PolicyMatters/CGST&C.Ex/Kol-North/2018/14553-68 dated 16.04.2018 and subsequently modified and issued under F. No. II(39)-27-ET/PolicyMatters/CGST&C.Ex/Kol-North/2018/21511-526 dated 15.06.2018 has been followed for transfer and posting of Superintendent from Central Excise / Customs CCA to non CCA posting. (Copy enclosed)

Point No. 3: Yes. As per present Transfer & Posting Policy of Saverment Policy Matters/CGST&C.Ex/Kol-North 2018/14553-68 dated 16.4.2. As aged 54 years or above shall not be sent to Siliguri Commissionerate or Siliguri formation and officers aged 55 years or above will not be considered for transfer to Non CCA area. There is no age but for Non CCA posting in CC(P) and Andaman & Nicober Island.

Point No. 4: Yes.

Point No. 5: Yes.

Point No. 6: As per Section 8(1)(j) of the RTI Act, 2005, the information sought for can not be given.

Point No. 7: The list of last Ten (10) years Annual General Transfer and Posting order No. and Date for the 'Superintendent' grade, Group-B, Kolkata Zone are given as **Annexure**.

A: The actual time and date for the above AGT orders, which should have been released are April and October of every year as mentioned above.

B: As per direction of the Competent Authority.

C: As per present policy, there are two times i.e. April and October of every year, when the AGT order takes place for the 'Superintendent' grade, Group-B, Kolkata Zone.

D: As per present Transfer & Posting Policy of Superintendent, issued under F. No. II(39)-27-ET/PolicyMatters/CGST&C.Ex/Kol-North/2018/14553-68 dated 16.04.2018 –

The tenure of Non CCA category posting from CCA category posting area will be of one and a half years.

The tenure of posting in Customs formation will be four years. However, no Officer shall be allowed to continue in the same post beyond a period of two years and shall be rotated from Sensitive to Non sensitive posting and vice-versa.

The tenure of posting at Andaman & Nicober island will be one year.

E: As per Section 8(1)(j) of the RTI Act. 2005, the information sought for can test be given.

Enclo: As above

Assistant Commissioner (140)
CGST & CX, Kolkata North Comm'te





GOVERNMENT OF INDIA

KOLKATA NORTH, CGST, CENTRAL EXCISE COMMISSIONERATE केंद्रीय उत्पाद शुल्क भवन : 180 शांतिपल्ली,, राजडांगा मेन रोड : कोलकाता-700107

KENDRIYA UTPAD SHULK BHAWAN: 180 SHANTIPALLY, RAJDANGA MAIN ROAD: KOLKATA-700107 Phone - 2441 8137 / Fax - 2441 6870

Sub: Amendment to existing Transfer & Posting Policy in the grade of Superintendent

In partial modification of the existing Transfer & Posting Policy in the grade of Superintendent circulated under F No.II(39)27-ET/Policy Matters/ CGST & C. Ex./ Kol-North/2018/14533-68 dated 15.04.18, the following amendments are hereby issued.

- 1) Paragraph at serial No. (2) under caption No. C is replaced as "Dwing the series of Cap Commissionerates including Audit Commissionerate there shall be rotation on completion of every 4 years from one Commissionerate to the Others. However, temure of Appeal Commissionerate and a Commissionerate to the Others. CCA will be fixed for 2 years for this purpose."
- 2) Paragraph under caption no. E. is replaced as "The posting at A & N Island will be done by the same controlling authority on the basis of option. The tenure of posting at A & N learned will be I year the option is available, the vacancy shall be filled by posting the justice man Superintendent, where non-COM tenure is due, However, as far as possible, the repeat posting at A & N posting may be avoided "
- 3) Paragraph under caption no. G. is replaced as "Posting at Seulement Commission and CESTAT, EZ on Loan basis in Kolkata will be considered as non-CCA posting. **

This issues with the approval of the Chief Commissioner, CGST & C. Ex., Kolkata Zone

Kolkata North Commissionerate F. No. II(39)-27-ET/Policy Matters/CGST & C.Ex./Kol-North/2018/ Copy forwarded for information and necessary action to:

- The Commissioner, CGST & C.Ex., Kolketa South / Howrah / Bolpur / Audit Durgapur / Siliguri / Appeal Stepun / Haldia / Appeal Kolkata - (1 / II)/ Audlt Kolkata-(1 / II) & CCP (WB)... The Joint Commissioner, CCO, CGSt & C.Ex., Kolkata Zone.
- All India Association of Central Excise Gazetted executive Officers , Kolkata Unit in connection to their submission wide Reference No. Assocn-5/Kol/2012/44-48 dated 09.04.18
- All India Association of Central Excise Gazetted executive Officers , Kolkata Unit in connection to their submission inde Reference No. Assoc-1/AIACEGEO/KoI/172/2018 dated 10.04.18 5. Notice Board.

Joint Commissioner (P&V) Kolkata North Commissionerate



GOVERNMENT OF INDIA

KOLKATA NORTH, GST, CENTRAL EXCISE COMMISSIONERATE

कंद्रीय उत्पाद शुल्क भवन : 180 शांतिपल्ली, राजडागा भेन रोड : कोलकाता-700107 KENDRIYA UTPAD SHULK BHAWAN : 180 SHANTIPALLY, RAJDANGA MAIN ROAD . KOLKATA-700107

Phone - 2441 8137 Fax - 2441 6870

CIRCULAR

In response to the Office Order No. 32/2018 dated 25.01.18, assued by the James Commissioner, CCO, CGST & C. Ex., Kolkata Zone, communicated and a little of the littl CCA/CC/CE/Kol/2017/2100-11 dated 25.01 18, the resided Transfer & Proceedings of the control of grade of Superintendent of CGST & C. Ex. Kolkers Zone has been seen and the control of the contr published with the approval of the Principal Chief Commissioner Commission and Chief Commissioner Commission and Chief Commissioner Com with immediate effect and until further order

As directed by the Competent Authority, the same is attached bereath for competent the revised Transfer & posting guidelines (in the grade of Superintendent) to all the officers of ('GST & C Ex zone as well as the staff associations.

> (Tabash Biswas) Assistant Commissioner (P&V) Kolkata North Commissionerate

F No II(39)-27-ET/Policy Matters/CGST & C.Ex./Kol-North/2018/ ('opy forwarded for information and necessary action to

- 1 The Commissioner, CGST & C.Ex., Kolkata South / Hourah / Bolour / Audit Ourga Siliguri / Haldia / Appeal Kolkata - () / #1/ Audit Kolkata () / #18 CCP (will) Promy the
- 2 The Joint Commissioner, CCO, CGSt & C.Ex., Kolkata Zone
- 3 All India Association of Central Excise Gazetted executive Officers. Kolkara unit in convenion to the submission vide Reference No. Assocn-5/Kol/2012/44-48-dated 09-04-18
- 4 All India Association of Central Excise Gazetted executive Officers . Kolkata Unit in concecum to submission vide Reference No. Assoc-1/AIACEGEO/KoI/172/2018 dated 10.04 18
- Notice Board.

(Tapash Biswas)

Assistant Commissioner (P&V) Kolkata North Commissionerate

Revised Transfer Policy Of Superintendents (GR. B Gazetted)



- A. General Principles:
- The advantage and disadvantages, hazards and pleasures of posting / duties of a cadre shall be equally distributed among/ shared by members to the extent possible.
- 2. Nobody is indispensable and no posting is sacrosanct.
- If one is suitable for strenuous job in customs, there is no reason why one is not suitable for less strenuous Excise posting.
- 4 At the time of preparation of any Transfer Order for the Superintendents following principal shall be followed:
 - (i) In case of inter-commissionerate transfer order, a committee consisting of the Commissioner, the Joint Commissioner (P&V) and the Assistant Commissioner (P&V) of the cadre controlling Commissionerate shall be constituted for making recommendations before the Principal Chief Commissioner, for approval.
 - (ii) In case of Intra-Commissionerate transfer order, a committee consisting of the Additional/ Joint Commissioner and two Deputy/Assistant Commissioners of the Commissionerate shall be constituted by the Commissioner for making recommendations before the Commissioner for approval.
 - (iii) The Principal Chief Commissioner reserves the right to override the decisions made by any of the aforesaid Committees on administrative/ vigilance ground.
- Working strength in each Commissionerate shall never be less than 70% of the sanctioned strength at any given time.
 (Association proposal To fill up all sanctioned posts They have not appreciated the words "not less than 70% of the working strength", it's a saving clause and applicable only when all posts cannot be filled due to reasons beyond control. Not acceptable)

6 General Transfer Order comprising:

- Posting in MON-CCA areas, fushere HRA is at present less than 24% as per the recommendations of 7th CPC) from CCA areas, fushere HRA is at present 24% and vice versa within the extant jurisdiction of CGST & Central Entire formation of West Bengal Zone.
- u) Posting in CC(P), WB formation from COST & C.Ex. and vice versa and
- in Kolkata and its agglomerated areas as well as within the NOR CLA caregory

 Commissionerates.

Annual General Transfer (AGT) Order shall be issued by the Cadre Controlling Authority preferably by 30th April for both Non-CCA & CCA and by October of the same year for only Non-CCA postings. Intra Commissionerate rotation Order in respect of each Commissionerate shall be issued by each Commissionerate within a month following the AGT order.

All the Officers, whose names are featured either in the Annual General Transfer Order or in the Intra Commissionerate Transfer Order, will be relieved positively by the end of the

1 | Page

respective month, in which the Orders have been issued and all the Transfer Orders should contain specific instruction related to the relieving effect

233

- Options for CC(P), WB shall be processed well in advance, so that Cadre Controlling Authority issue Transfer Order to CC(P), WB formation by the stipulated date. Accordingly, appropriate circular seeking options shall be circulated by the cadre
- All representations for any transfer/ posting with valid ground shall be made through proper channel once the circular seeking option is issued and well before the schedule
- Posting in Non CCA areas means any posting in CGST & C. EX, CCP formations outside the agglomerated area under Kolkata Municipal Corporation meaning the 24% HRA area, as amended time to time (present status of which is mentioned under serial no (5 (4))
- 10 Completion of "NON CCA" tenure means that the Officer has precisely/exactly served for one and half years of posting availing of leave period not exceeding the usual 45 days of carned leave and 15 days of medical leave In case, the leave period exceeds, the concerned officer shall be relieved after completion of such excess leave period. If any officer opts to continue at a Non-CCA posting beyond the supulated norm of Non-CCA tenure, then s/he has to continue for the full tenure of 4 years in that Commissionerate.
- 11 An Officer, who is due for retirement/superannuation, will be posted to a particular Commissionerate for the last two years of his/her service. If possible, the officer may be posted nearest to his home town.
- 12. For all Transfer & Posting, sensitive posting should not be made for more than two (2) years and there should be a gap of at least two [2] years between two consecutor

B. Posting in NON CCA category area in COST & Central Excine

- 1 Tenure of NON CCA contegory posting for Officers from CCA contegory posting are will be at
- NON CCA posting in COST & C. Ex state by process of the second se do not opt otherwise. The officers who are resource as the rotated in that division or headquarter and from security to the years.
- 3. Remaining posting shall be filled up from Officers having continuous longest stay in CCA. posting area (combined service period in the grade of Superintendent and bispector) with
 - Officers aged 54 years or above shall not be sent to Siligun Commissionerate or Siliguri formation.

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- Officers aged <u>55</u> years or above will not be considered for transfer to NON CCA area.
- Option/willingness for posting at CC(P), WB will not be entertained while the officer is serving his tenure of NON CCA posting in CGST & Central Excise formations
- 5. The officer, who is due for NON CCA posting, should not be sent to any deputation / loan posting, when his turn for Outstation posting is due.

C. Posting in CCA category Area in CGST & Central Excise:

Tenure: four (4) Years for each Commissionerate. [While calculating the tenure period, service rendered in both the erstwhile Comm'te and the new one, with which the erstwhile formation is merged, will be taken into account Needless to say, this clause also covers the erstwhile and newly formed Audit commissioneartes.]

2. Inter-Commissionerate Transfer:

During the tenure in City Commissionerates, which includes Audit and Appeal commissionerates, there shall be a rotation on completion of every four (4) years from one Commissionerate to the other.

3. Intra-Commissionerate rotation:

During the tenure of four (4) years in a Commissionerate, posting shall be two (2) years in sensitive and two (2) years in non-sensitive posting as categorized below:

Type A (Sensitive)

Tupe B (Non sensitive)

- i) All Range Offices and 4 Devisional/ Head Quarters puring Orientees / units under other than memored under Gr A
- ii) Anti-Evalsion under HQ
- iii) Audit Groups under Audit units

This is not an exhaustive list and notice of second and the considered as the nature of work evolves

D. Posting in CC(P), WB Formation:

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- The tenure of posting in Customs formation will be four [4] years. However, no Officer shall be allowed to continue in the same post beyond a period of two (2) years and shall be rotated from Sensitive to Non sensitive posting and vice-versa.
- 2. Posting in CC(P), WB will be made on the basis of willingness/ option as per existing policy. There must be a Cooling Off period of two (2) years between two consecutive
- 3. The procedure for selection in the Customs formation on the basis of option shall be as

From the options furnished, selection will be made by the Cadre Controlling Authority considering the combined service rendered by the Officer in the executive cadre (both in Superintendent & Inspector cadre) on the basis of the following preferences: a) Who have never served

- b) Who are in continuous longest stay in CGST & C. Excise.
- 4) In case of insufficient willing officers, the vacancy shall be filled-in in a manner that is fair to the cadre. The administration reserves the right to post officers to CCP for administration reasons, in line with clause A5 supra

Posting at Andaman & Nicober Island:

The posting at Andaman & Nicober Island will be done by the Cadre Controlling Authority on the basis of options. The tenure of posting at Andaman & Nicober Island will be one (1) year. If no option is available the vacancy shall be filled in any manner that is fair to the cadre. The administration reserves the right to post officers to Andaman & Nicober Island for administration reasons, in line with clause A5 supra.

F. Deputation Posting/ Posting On Loan:

- At the time forwarding names for deputation / loan basis posting, it shall be ensured that the enterior prescribed for selection of such deputation postings are strictly adhered to. While final decision on Deputation/ Loan will be taken up by the Chief Commissioner, same will be monitored/ examined through the cadir.
- For the purpose of computation of tenure in COST & C. Ex. & COPI, WB, the nl period of deputation/ loan shall be excluded 111)
- No extension in loan or conversion of that to regular deputation shall be allowed to officers who are otherwise due for Non-CCA postine.
- G. Posting at Settlement Commission (on LOAN basis) or CESTAT (on LOAN basis) in Kalkara will not be considered as "NON CCA" posting with immediate effect.
- H. Any Officer, who serves as Inspector on Deputation/ Loan posting and subsequently gets promotion to the grade of Superintendent while being in such posting, should immediately re-join the cadre controlling authority for his/her posting-

TAPASH BISWAS HIPPER Assistant Commissione: [P&V] & CX MARINI AR HI DOLL COST &



I. Administrative exigencies will prevail over all these Transfer & Posting Guide lines. Due regard shall be paid while posting lady officers and officers who require special attention.

J. This policy supersedes all earlier policies/ orders

Sd/.

D.V. Nagvenkar Commissioner, Kolkata North Commissionerate.

Sd/.

Partha Roy Chowdhury, Commissioner, Kolkata South Commissionerate.

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-E/2021-TECH-O/o Pr CC-CGST-ZONE-KOLKATA

ANNEXURE

Year	Order No	Dod
2012	47/2012	Date
	141/2012	24.04.2012
2013	38/2013	18.10.2012
	120/2013	16.04.2013
2014	44/2014	04.10.2013
		16.05.2014
2015	103/2014	15.10.2014
	35/2015	20.05.2015
2016	91/2015	19.11.2015
	43/2016	25.05.2016
2017	112/2016	25.11.2016
	65/2017	14.06.2017
2010	48/2017	17.11.2017
2018	65/2018	25.06.2018
2010	115/2018	
2019	57/2019	12.12.2018
	03/2020	27.06.2019
020	47/2020	10.01.2020
	35/2021	07.08.2020
021	73/2021	25.06.2021
	7572021	23.09.2021

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