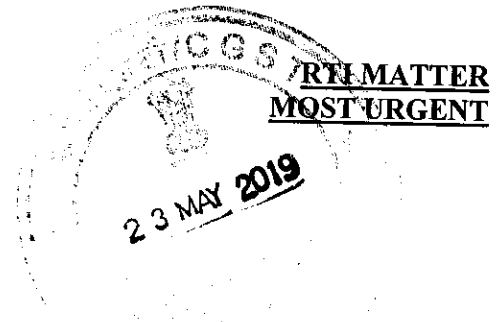


3489
23/5/19
Sun
27/5/19



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)62/RTI/HQ/CGST & CX/Kol-North/2018/

Dated: -

To
Shri Golok Behari Roy
B-8/8, Diamond Park
Joka, Kolkata-700104.

~~2-3 MAY 2019~~

Sir/Madam,

Sub: - Seeking information under the RTI Act, 2005 — Regarding.

Please refer to your RTI application dated 14.05.2019, filed has been received on 14.05.2019 by this Commissionerate. Subsequently the said RTI application has been registered at this office vide Registration No. 50/RTI/Kol-North/19 dt. 16.05.2019.

The desired information as received from the Assistant Commissioner (P&V), CGST & CX, Kolkata North Commissionerate on 22.05.2019 under C.No. II (39)1-VIG/ RTI/ CGST & CX /KOL-N/ 2017/4012 dt. 22.05.2019 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 Sydney D'Silva, Joint Commissioner, CGST & CX, Kolkata-North Commissionerate, O/o The Principal Commissioner of CGST & CE, Room No. 117, Kendriya Utpad Shulk Bhawan, 180, Shantipally, Rajdanga Main Road, Kolkata-700107.

Enclo- 01 (One) Sheet.

Yours faithfully,

SAI

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

C. No. As above/

S.R. No. 4577

Dated: *23/5/19*

Copy forwarded for information to: -

✓ The Assistant Commissioner (Systems), Computer Cell, CGST & CX, Kolkata North Commissionerate with a request to upload the RTI application submitted by Shri Golok Behari Roy, dt. 14.05.2019 along with the desired information as mentioned above (enclosed six sheets).

Samiran Roy
(Samiran Roy) *22/5/19*
CPIO & Assistant Commissioner
CGST: Kol-North Comm'te.

2754
14/5/14

RECEIVED
14/5/14

12-15/5/14

To
The ACPIO/CPIO
Kolkata North Commissionerate,
180, Santipally, Rajdanga Main Road,
Kolkata - 700 107.

Hon'ble Sir,

Sub: Application for supply of information under Section-6(1) of the RTI Act, 2005 (as amended)

Your kind attention is drawn to my enclosed Representation filed for release of my Leave Salary and Gratuity dated 14.12.2018 and seven reminders thereof. [copy enclosed]. No reply or response has been received from the office of the Commissioner of CGST & Cx, Kolkata North Commissionerate till date.

In this connection I would like to request you to furnish me the following information under the **RTI Act, 2005**.

Sl.	Information/ Documents required	Source of document
1	Reasons for no reply from the office of the Commissioner of CGST & Cx, Kolkata North Commissionerate when there is specified time limit prescribed under Citizen's Charter for such reply by department.	Maintained at the office of the Commissioner of CGST & Cx, Kolkata North Commissionerate
2	Details of action taken by different level of officers in respect of my above application and reminders, if any alongwith Copy of all relevant note sheets of relevant File under which my above application has been dealt with.	-Do-
3	Name and designation of such officers who have taken the relevant action in file.	-Do-
4	In case no action has been taken, the name and designation of the officers who were responsible to take relevant action in respect of my above application/reminders.	-Do-

CG/RTI/2018/1468/1
16.05.2019

I declare that I am a Citizen of India and the above Information are not barred from disclosure under the RTI Act, 2005.

The requisite application fee of Rs. 10/- is paid by IPO no. 23F 175139 as enclosed with this application.

Yours faithfully,

(Golok Behari Roy)
(Golok Behari Roy) 14/05/2019
Retired Superintendent.
Contact No. : 9433965338

Encl : As above

Address:-
B-8/8, Diamond Park,
Joka, Kolkata - 700104

To
The Commissioner of CGST & Central Excise,
(Disciplinary Authority)
Kolkata North Commissionerate,
180, Santipally, Rajdanga Main Road, 2nd Floor.
Kolkata - 700 107.

Hon'ble Sir,

Sub: Representation for release of Leave Salary and Gratuity. Case of Sri Golok Behari Roy, Retired Superintendent

Your kind attention is drawn to the I.O.'s Report dated 20.06.2017 forwarded under C. No. II(10)A-33/Vig/CGST/KOL-N/2017/471 dated 25.04.2018 in respect of Articles of charges framed against Sri Golok Behari Roy, Superintendent(Retired) under Memorandum C. No. II(10)49/CON/ VIG/ST/Kol /11/8495 dated 16.09.2015.

After due proceedings the I.O. of the case has submitted under his report that only the following two charges were proved on the basis of prior statement of the Charged Officer which was however obtained without any evidence and has been refuted by the C.O. during the proceedings for lack of evidence.

1. ***That on sale of seized goods through TR-5 No. 073691 dated 18.03.1997, Rs. 1,61,813/- was collected but deposited vide TR-6 No. 20/PTPL/C4/98 dated 04.06.1998 after fourteen months resulting into loss of Government Interest.***
2. ***That on sale of seized goods through TR-5 No. 073692 dated 21.03.1997, Rs. 94,604/- was collected but deposited vide TR-6 No. 26/PTPL/C4/98 dated 04.06.1998 after sixteen months resulting into loss of Government Interest.***

In this connection I would like to furnish the following for your kind consideration;

That, even if the above two allegations are found to be proved, the notional loss of interest to the Govt. Exchequer would be as follows;

Amount involved	Date of collection	Date of deposit	Delay in deposit (in days)	Notional loss of interest @12%	Notional loss of interest @8%
161813	18.03.1997	04.06.1998	440	23407	15605
94604	21.03.1997	04.06.1998	438	13623	9082
TOTAL Notional loss of Interest				37030	24687

Thus even if the allegations are proved, there shall be a maximum amount of recovery of **Rs. 37,030/-** which is considered as notional loss of interest for delayed deposit of the alleged amount.

However, the following amount of financial retirement benefits have been withheld for delay in finalisation of the Vigilance Case from your office:-

Date of Retirement: 30.09.2015

Leave Salary Due: @40,000/- for 10 months = Rs. 4,00,000/- (Approx.)

Gratuity Due: More than Rs. 8,00,000/- (Approx)

Differential Dues for non-allowance of 3rd MACP from grade pay of 4800/- to 5400/- due w.e.f. 01.01.2012 = Rs. 3,00,000/- (Approx.)

TOTAL DUES lying unpaid w.e.f. 30.09.2015 = **Rs. 15 lakh** (Min. approx. value)

Interest accrued on above amount;

@ 12% = 5,40,000/-

@ 8% = 3,60,000/-

Thus, your good office is withholding my financial benefits of Rs. 15 Lakh for over three (03) years against alleged recovery of Rs. 37,000/- only. The dues payable to me has already accrued interest over Rs. 3.6 Lakh which is payable from the Government Exchequer.

Delay/Inaction of your office is causing more notional loss to the Government every year than the amount recoverable from me.

Moreover, since I have been retired from service, my case has been transferred under Pension Rule, under which no recovery is possible from either my leave salary or my gratuity but from the pension only.

Therefore, I would request you to release my above dues at the earliest as withholding the same is causing more burden on the Government Exchequer than the expected recovery which can be done on finalisation of the case.

I undertake to attach adequate security either in cash or any type of Bank instrument against the notional loss suffered by the Government in case the dues are paid to me.

Thanking you,
Yours faithfully,

Golok Behari Roy
(Golok Behari Roy) 14/12/2018
Retired Superintendent.
Contact No. : 9433965338

Address:-
B-8/8, Diamond Park,
Joka, Kolkata - 700104

Copy to Chief Commissioner, CGST & CX, Kolkata for necessary action.

Fix Reminders

To
The Commissioner of CGST & Central Excise,
(Disciplinary Authority)
Kolkata North Commissionerate,
180, Santipally, Rajdanga Main Road, 2nd Floor.
Kolkata - 700 107.

29 APR 2019
AKH

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Sub: Representation for release of Leave Salary and Gratuity. Case of Sri
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Thanking you,
Yours faithfully,

Golok Behari Roy
(Golok Behari Roy) 14/12/2018
Retired Superintendent.
Contact No. : 9433965338

Address:-
B-8/8, Diamond Park,
Joka, Kolkata - 700104

Copy to Chief Commissioner, CGST & CX, Kolkata for necessary action.

R-22/5/19



NATION
TAX
MARKET

Government of India
भारत सरकार

OFFICE OF THE COMMISSIONER OF CGST & CX, KOLKATA—NORTH COMMISSIONERATE
CENTRAL GST BHAVAN, 180, SHANTIPALLY, RAJ DANGA MAIN ROAD, KOLKATA—700107.
PHONE & FAX (033) 24416835

C.No.II (39)1-VIG/RTI/CGST&CX/KOL-N/2017/4012

DATE 12/5/19

To
The Assistant Commissioner & CPIO,
HQ, RTI Cell, CGST, Kolkata North Comm'te
Kolkata.

Sub: RTI application dt. 14.05.2019 filed by Shri Golob Behari Roy,
Kolkata- 700019, transfer under Sec 6(3) of RTI Act, 2005-**reg.**

This is with reference to your letter under C.No. V
(30)62/RTI/HQ/CGST&CX/KOL-NORTH/19/4013 dated 17.05.2019 on the above
subject.

In this regard, it is to mention that all disciplinary proceedings of retired
officers are dealt in AD-V, New Delhi. This section involves in processing of the case
file such sending files to DGoV for advices and taking them to AD-V, New Delhi. As
regards processing of retirement benefits Chowringhee Division from where he was
retired should be able to provide information in this regard.

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