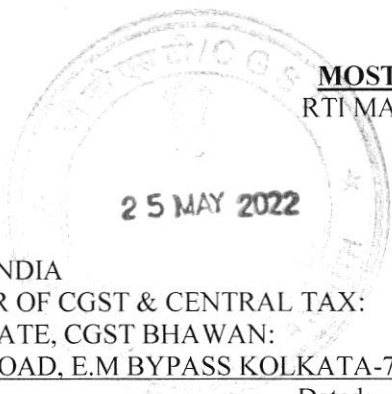


947 A
25/05/22



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)56/RTI/HQ/CGST & CX/Kol-North/2022

Dated: -

To
Shri Sachin,

Sir/Madam,

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

Please refer to your RTI application dated- 06.05.2022, which has been received in this Commissionerate 12.05.2022 and received to this section on 13.05.2022. Subsequently the said RTI application was registered at this office vide Registration No. 57/RTI/Kol-North/2022 dated- 13.05.2022.

The desired informations as received from the Administrative Officer (ET), CGST&CX, Kolkata Zone, is enclosed herewith.

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 Ms Mohsina 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.

Encl: 05(five) sheet.

Yours faithfully,

sd/-

(Indu Bikash Das)
CPIO & Assistant Commissioner
HQ, RTI Cell
CGST: Kol-North Comm'te.

Dated :

24 MAY 2022

IRAO - 3029

C. No. As above/

Copy forwarded for information to: -

1. The Assistant Commissioner (Systems), Computer Cell, CGST & CX, Kolkata North Commissionerate with a request to upload the RTI application dated 06.05.2022, submitted by Shri Sachin, (enclosed seven sheets).
2. The CPIO & Assistant Commissioner, CCO, O/o the Pr. Chief Commissioner CGST & CX, Kolkata Zone.

25/05/22
Supdt. (System)

(Indu Bikash Das)
CPIO & Assistant Commissioner
HQ, RTI Cell
CGST: Kol-North Comm'te



भारतसरकार
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 / KOLKATA NORTH
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. GCCO/RTI/APP/495/2022-O/o. Pr CC-CGST-ZONE-Kolkata/ 7613-16 Date: 11/05/2022.

To,
The CPIO,
Durgapur Audit / Audit-II/ Kolkata North / Howrah,
CGST & CX Commissionerate.

Sir,

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

Please find enclosed herewith an RTI application having Registration No. GSTKT/R/E/22/00074 dated 06.05.2022 filed online by **Shri Sachin**,

It appears that the information sought by the applicant pertains to your Commissionerate. Hence, the RTI Application is transferred to your office under section 6(3) of the RTI Act, 2005.

You are requested to provide the information directly to the applicant within the stipulated time under RTI Act, 2005 under intimation to this office.

Yours faithfully,

Encl: As Above.

(B.Krishna)
Assitant Commissioner (CPIO)
Pr. CCO, Kolkata Zone.

F. No. GCCO/RTI/APP/495/2022-O/o. Pr CC-CGST-ZONE-Kolkata/

Date: /05/2022.

Copy for information to:-

1. **Shri Sachin,**

Sir, in case of filing RTI first appeal, you are requested to apply it directly before the First Appellate Authority of the Commissionerate where your RTI application is being transferred u/s. 6(3) of the RTI Act, 2005 as this office cannot transfer RTI First Appeal application to another First Appellate Authority [Reference: The FAA, CIC in the matter of Sri Freddy Pareira file No. CIC/AA/A/2013/22-Decision dated 23/02/2013].

(B.Krishna)
Assitant Commissioner (CPIO)
Pr. CCO, Kolkata Zone.

RTI REQUEST DETAILS

Registration No. : GSTKT/R/E/22/00074

Date of Receipt : 06/05/2022

Type of Receipt : Online Receipt

Language of Request : English

Name : SACHIN

Gender : Male

Address :

State :

Country : India

Phone No. :

Mobile No. : +

Email :

Status(Rural/Urban) : Rural

Education Status : Graduate

Is Requester Below Poverty Line ? : No

Citizenship Status : Indian

Amount Paid : 10)

Mode of Payment : Payment Gateway

Does it concern the life or Liberty of a Person ? : No(Normal)

Request Pertains to :

Please provide the below details of Durgapur CGST & Central Excise Audit Commissionerate & erstwhile Audit -II commissionerate of Central Excise, Kolkata Zone.

1. Please provide me the list of Superintendents and inspectors who have been posted for more than 4 years continuously in CGST and Central Excise, Durgapur Audit Commissionerate including their tenure in erstwhile Audit -II commissionerate of Central Excise, Kolkata Zone since its creation.

Information Sought :

2. Please provide me the copy of Note Sheet by which such stay of more than 4 years in this Commissionerate, if any, has been approved by the competent authority.

3. Provide me the transfer and posting rule in respect of gazetted and non-gazetted employees according to which such officers have been posted in one commissionerate for more than 4 years.

Please provide me the information on my registered email id.

Print

Save

Close

850 A
23/05/2022

Sup (RTI)
23/05/22



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

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

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



F. No. II(3)17-ET/CGST&CE/RTI/Kol-North/2017/2800

Date:

20 MAY 2022

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

Subject: - RTI application dated 06.05.2022 filed by Shri Sachin,

being transferred

under Sec. 5(4) of RTI Act, 2005 – Regarding

Sir,

Kindly refer to your letter under C. No. V(30)56/RTI/HQ/CGST&CX/Kol North/2022/2553 dated 17.05.2022 on the above mentioned subject.

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

Point No. (1): As per available records, there are 20 (Twenty) nos. of Superintendents who have been posted for more than 04 years continuously in CGST & CX, Durgapur Audit Commissionerate.

However, it is to mention that Section 8(1)(j) of the RTI Act, 2005 encapsulates that information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual should be exempted from disclosure.

Point No. (2): In this connection, reference may be made to the Point No. B. of the Transfer & Posting Policy of Superintendent [Group “B” Gazetted post], 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, wherein it is mentioned that

“1. Tenure of Non CCA category posting for Officers from CCA category posting area will be of one and a half years.

2. NON CCA posting in CGST & C. Ex. shall be primarily filled in by the local officers, if they do not opt otherwise. The officers who are residents at Non-CCA category stations shall be rotated in that division or headquarter and from sensitive to non-sensitive, once every two years.”

Durgapur Audit Commissionerate under CGST & CX, Kolkata Zone falls under Non-CCA category. Therefore, as per the above mentioned Transfer & Posting Policy of Superintendent, no approval seems required for continuous posting of more than 04 years in Durgapur Audit Commissionerate.

Point No. (3): The copy of 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 is enclosed.

The information may be provided subject to fulfilment of all criteria under RTI ACT, 2005.

Enclo: As above

Yours faithfully


Administrative Officer (ET)
CGST & CX
Kolkata North Commissionerate



भारत सरकार

GOVERNMENT OF INDIA

KOLKATA NORTH, GST, CENTRAL EXCISE COMMISSIONERATE

केन्द्रीय उत्पाद शुल्क भवन : 180 शान्तिपल्ली, राजडागा मेन 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, issued by the Joint Commissioner, CCO, CGST & C. Ex., Kolkata Zone, communicated under C No. II(3)18-CCA/CC/CE/Kol/2017/2100-11 dated 25.01.18, the revised Transfer & Posting Policy in the grade of Superintendent of CGST & C. Ex., Kolkata Zone, has been prepared and hereby published with the approval of the Principal Chief Commissioner, CGST & C.Ex. Kolkata Zone with immediate effect and until further order.

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


16/04/18

(Tapash Biswas)

Assistant Commissioner (P&V)
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:

Date: 04.18

14553-68

16 APR 2018

- 1 The Commissioner, CGST & C.Ex., Kolkata South / Howrah / Bolpur / Audit Durgapur / Siliguri / Appeal Siliguri / Haldia / Appeal Kolkata - (I / II) / Audit Kolkata-(I / II) & CCP (WB).. *may be uploaded in official website please*
- 2 The Joint Commissioner, CCO, CGSt & C.Ex., Kolkata Zone.
- 3 All India Association of Central Excise Gazetted executive Officers , Kolkata Unit in connection to their 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 connection to their submission vide Reference No. Assoc-1/AIACEGEO/Kol/172/2018 dated 10.04.18
- 5 Notice Board.


16/04/18

(Tapash Biswas)

Assistant Commissioner (P&V)
Kolkata North Commissionerate



भारत सरकार

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 16.04.18, the following amendments are hereby issued.

- 1) Paragraph at serial No. (2) under caption No. C is replaced as "During the tenure in City Commissionerates including Audit Commissionerate there shall be rotation on completion of every 4 years from one Commissionerate to the Others. However, tenure of Appeal Commissionerates as well as CCO & 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 cadre controlling authority on the basis of option. The tenure of posting at A & N Island will be 1 year. If no option is available, the vacancy shall be filled by posting the junior most Superintendent, whose non-CCA 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 Settlement 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.


14/6/18
Commissioner

Kolkata North Commissionerate


F. No. II(39)-27-ET/Policy Matters/CGST & C.Ex./Kol-North/2018/21511-526

Date: 06.18

15 JUN 2018

Copy forwarded for information and necessary action to:

1. The Commissioner, CGST & C.Ex., Kolkata South / Howrah / Bolpur / Audit Durgapur / Siliguri / Appeal Siliguri / Haldia / Appeal Kolkata - (I / II) / Audit Kolkata - (I / II) & CCP (WB)..
2. The Joint Commissioner, CCO, CGSt & C.Ex., Kolkata Zone.
3. All India Association of Central Excise Gazetted executive Officers, Kolkata Unit in connection to their 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 connection to their submission vide Reference No. Assoc-1/AIACEGEO/Kol/172/2018 dated 10.04.18
5. Notice Board.


19.6.18
Joint Commissioner (P&V)
Kolkata North Commissionerate

A. General Principles:

1. 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.
3. 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 Adduional/ 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.

- 5 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:

- i) Posting in NON-CCA areas, (where HRA is at present less than 24% as per the recommendations of 7th CPC) from CCA areas, (where HRA is at present 24%) and vice versa within the extant jurisdiction of CGST & Central Excise formation of West Bengal Zone.
- ii) Posting in CC(P), WB formation from CGST & C.Ex. and vice-versa and
- iii) Inter-Commissionerate transfer within CGST & C.Ex. Commissionerates, situated in Kolkata and its agglomerated areas as well as within the NON CCA category 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

16/04/20
TAPASH BISWAS
महापंच. आयुक्ता (का. एवं सी.)
Assistant Commissioner (P&V)
एच. सी. एक्स / CGST & CX
कोलकाता उत्तर/ Kolkata North

393 36
respective month, in which the Orders have been issued and all the Transfer Orders should contain specific instruction related to the relieving effect

7. 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 controlling authority well in advance.
8. 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 date of issuance of the Order.
9. 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 (i)).
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 earned 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 stipulated 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 consecutive sensitive postings.

B. Posting in NON CCA category area in CGST & Central Excise:

1. Tenure of *NON CCA category posting* for Officers from CCA category posting area will be of one and a half years.
2. NON CCA posting in CGST & C. Ex. shall be primarily filled in by the local officers, if they do not opt otherwise. The officers who are residents at Non-CCA category stations shall be rotated in that division or headquarter and from sensitive to non-sensitive, once every two 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 Inspector*) with the exception that:
 - i) Officers aged 54 years or above shall not be sent to Siliguri Commissionerate or Siliguri formation.

16/05/18
TAPASH BISWAS
महासक आयुक्त (एच. एच. एच.)
Assistant Commissioner (P&V)
सी. जी. एस. टी. एवं सी. एक्स/CGST & CX
कोलकाता उत्तर/ Kolkata North

ii) Officers aged 55 years or above will not be considered for transfer to NON CCA area.

- 4. 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 :

1. 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 commissionerates.]*

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)

Type B (Non sensitive)

- i) All Range Offices and Technical Sections / units under Divisions
- ii) Anti Evasion under HQ
- iii) Audit Groups under Audit units

i) Divisional/ Head Quarters posting other than mentioned under Gr A

This is not an exhaustive list and nature of sensitive and non-sensitive postings shall be considered as the nature of work evolves.

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

16/04/18
 तपश बिस्वास
TAPASH BISWAS
 सहायक आयुक्त (कां. एवं व.स.)
 Assistant Commissioner (P&V)
 सी.जी.एस.टी. एवं सी.एक्स/CGST & CX
 कोलकाता उत्तर/ Kolkata North

1. 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 postings at CC(P).
3. The procedure for selection in the Customs formation on the basis of option shall be as follows:

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

E. Posting at Andaman & Nicobar Island:

The posting at Andaman & Nicobar Island will be done by the Cadre Controlling Authority on the basis of options. The tenure of posting at Andaman & Nicobar 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 & Nicobar Island for administration reasons, in line with clause A5 supra.

F. Deputation Posting/ Posting On Loan:

- i) At the time forwarding names for deputation / loan basis posting, it shall be ensured that the criterion 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 cadre controlling authority.
- ii) For the purpose of computation of tenure in CGST & C. Ex. & CC(P), WB, the period of deputation/ loan shall be excluded.
- iii) No extension in loan or conversion of that to regular deputation shall be allowed to officers who are otherwise due for Non-CCA posting.

G. Posting at Settlement Commission (on LOAN basis) or CESTAT (on LOAN basis) in Kolkata 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.

16/06/18
TAPASH BISWAS
महासंचालक (आ. एवं स.)
Assistant Commissioner: (P&V)
सी.जी.एस.टी. एवं सी.एक्स. CGST & CX
कोलकाता उत्तर/ Kolkata North

521
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- 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, to Non-CCA or hazardous postings.
- J. This policy supersedes all earlier policies/ orders.

Sd/-

D.V. Nagvenkar
Commissioner,
Kolkata North Commissionerate.

Sd/-

Partha Roy Chowdhury,
Commissioner,
Kolkata South Commissionerate.


16/04/18
TAPASH BISWAS
महासचिव अप्रमत्त (पठो एवं सो)
Assistant Commissioner (P&V)
सी.जी.एस.टी. एवं सी.एक्स/CGST & CX
कोलकाता उत्तर/ Kolkata North