



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

Dated: - 14.11.2022

To
To
Sri Manish Kumar,

Sir/Madam,

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

Please refer to your RTI application dated- 11.10.2022 which has been received in this Commissionerate 11.10.2022 & 19.10.2022 and received to this section on 13.10.2022 & 21.10.2022. Subsequently the said RTI application was registered at this office vide Registration No. 125/RTI/Kol-North/2022 dated- 14.10.2022 & Registration No. 126/RTI/Kol-North/2022 dated- 25.10.2022

The desired informations as received from the Assistant Commissioner (HQ Anti Evasion), CGST & CX, Kolkata North Commissioner, 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 Shri Brajesh Kumar Singh. 1st Appellate Authority, Joint Commissioner, CGST & CE, Kolkata North Commissionerate, Kolkata., O/o The Principal Commissioner of CGST & CX, 2nd Floor, Kendriya Utpad Shulk Bhawan, 180, Shantipally, Rajdanga Main Road, Kolkata-700107.

Encl: 01 (one) sheets.



Yours sincerely,

Sd/

(Subrata Das)
CPIO & Deputy Commissioner
HQ, RTI Cell
CGST: Kol-North Comm'te

C. No. As above/ 14529

Dated: .10.2022

Copy forwarded for information to: -

14 NOV 2022

1. The Assistant Commissioner (Systems), Computer Cell, CGST & CX, Kolkata North Commissionerate with a request to upload the RTI application dated 11.10.2022 submitted by Sri Manish Kumar.
2. The CPIO & Assistant Commissioner, CCO, O/o the Pr. Chief Commissioner CGST & CX, Kolkata Zone.

Sd/ (Systems)
14/11/22
Supdt. (System)

S. Das
14.11.2022
(Subrata Das)
CPIO & Deputy Commissioner
HQ, RTI Cell
CGST: Kol-North Comm'te.

S(systems) 144

5942
11/11/22



भारतसरकार

Government of India

प्रधान आयुक्तकेन्द्रीयकरका कार्यालय

Office of the Principal Commissioner of Central Tax

कोलकातानॉर्थ- केन्द्रीयवस्तुएवंसेवाकर&उत्पादशुल्क

Kolkata North – Central Goods and Services Tax & Central Excise

जीएसटीभवन, 180, शांतिपल्ली, कोलकाता / GST Bhawan, 180, Shanti Pally, Kolkata – 700 107

F. No. V(19)03/AE/CGST/KOI North/RTI/2018/

Dated: 11.2022

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

114441

11 NOV 2022
10 NOV 2022



Sir,

Subject: **RTI Application dated 11.10.2022 filed by Sri Manish Kumar,**

being transferred under Sec. 5(4) of RTI Act, 2005 – regarding.

Please refer to your office letter No. V(30)112/RTI/HQ/CGST&CX/Kol North/2022/13938 dated 03.11.2022, on the subject cited above.

The reply i.r.o. the aforesaid RTIs pertaining to HQ Anti-evasion, Kolkata North CGST & CX Commissionerate is furnished hereunder:-

- The applicant has not asked for any particular information but requested for taking necessary action for recovery of evaded tax/interest/penalty in the application.
- The applicant himself in its application had informed that the cogent investigation was started at the end of DGGI (erstwhile DGCEI) Kolkata.
- No case reference has been provided by the applicant to enable this section to comment on whether this section had ever dealt with such cases or can provide any information on the same.

Yours faithfully,

Superintendent
CRTI
S.S.S.
11.11.2022

(YOGNIK BAGHEL)
10.11.22

Assistant Commissioner
Anti-Evasion, CGST & CX,
Kolkata North Commissionerate

4239A
19/10/22



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

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

Handwritten signature and date: 19/10/2022

F. No. GCCO/RTI/APP/283/2022-O/o. Pr CC-CGST-ZONE-Kolkata/ 15314 Date: 18.10.2022.

To,
The CPIO,
Office of the Principal Commissioner,
CGST & CX, Kolkata North Commissionerate
GST Bhawan, 180, Shantipally, R.B. Connector,
Kolkata-700107.

Sir,

Sub: RTI Application filed by Sri Manish Kumar under Right to Information Act, 2005- Reg.

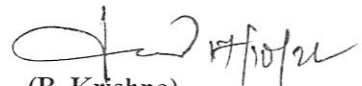
Please find enclosed herewith 01 (One) RTI application having Registration No. GSTKT/R/E/22/00059 dated 11/10/2022 filed online by **Sri Manish Kumar**,

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

You are requested to supply the information directly to the applicant under RTI Act, 2005 within the due date as specified under RTI Act, 2005 under intimation to this office.

Yours faithfully,

Encl: As Above.



(B. Krishna)
Assistant Commissioner (CPIO)
Pr. CCO, CGST & CX, Kolkata Zone

F. No. GCCO/RTI/APP/283/2022-O/o. Pr CC-CGST-ZONE-Kolkata/
Copy for information to:-

Date: .10.2022.

Sri Manish Kumar,

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)
Assistant Commissioner (CPIO)
Pr. CCO, CGST & CX, Kolkata Zone

RTI REQUEST DETAILS

Registration No. : GSTKT/R/T/22/00059

Date of Receipt : 11/10/2022

Transferred From : Central Board of Excise and Customs - Central Excise on 11/10/2022 With Reference Number : CBECE/R/E/22/00897

Remarks : Pertains to your Zone

Type of Receipt : Electronically Transferred from Other Public Authority

Language of Request : English

Name : manish kumar

Gender : Male

Address :

State :

Country : India

Phone No. : Details not provided

Mobile No.

Email :

Status(Rural/Urban) : Urban

Education Status : Graduate

Letter No. : Details not provided

Letter Date : Details not provided

Is Requester Below Poverty Line ? : No

Citizenship Status : Indian

Amount Paid : 0 (RTI fee is received by Central Board of Excise and Customs - Central Excise (original recipient))

Mode of Payment : Payment Gateway

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

Request Pertains to :

Information Sought : Sir,
With due respect, it is humbly stated that an application dated 21.07.2022 (copy enclosed) was submitted through mail for taking necessary action for recovery of government money. I request you to provide certified true copies of the correspondences and notesheets in connection with the action taken on my request dated 21.07.2022. I would ever be obliged to you for this favour to me.

Original RTI Text : Sir,
With due respect, it is humbly stated that an application dated 21.07.2022 (copy enclosed) was submitted through mail for taking necessary action for recovery of government money. I request you to provide certified true copies of the correspondences and notesheets in connection with the action taken on my request dated 21.07.2022. I would ever be obliged to you for this favour to me.

Print

Save

Close

Request for recovery of government money

From: ojjh manish (ojjh_manish@yahoo.com)
To: chmn-cbic@gov.in
Cc: icegatehelpdesk@icegate.gov.in
Bcc: eccs.tradehelpdesk@icegate.gov.in; cbicmitra.helpdesk@icegate.gov.in
Date: Thursday, July 21, 2022 at 03:29 PM GMT+5:30

To

Sri Vivek Johri

The Chairman, Central Board of Indirect Taxes & Customs

Ministry of Finance, North Block, New Delhi-110001

Subject:--Request to take action for recovery of Government Money-reg.

Respected Sir,

With humble submission, it is stated that I am a responsible citizen of my country. Being a responsible citizen, I informed the Directorate General of Central Excise & Intelligence (DGCEI), Kolkata, now known as Directorate General of GST Intelligence (DGGI), Kolkata in respect of a tax evasion vide my letter dated 18.02.2015 (copy enclosed herewith) I submitted corroborative documents along with proper calculation of approximate amount of the evaded tax with my letter dated 18.02.2015. I took risk personally and accompanied the raiding team to show the places where they found all the documents later.

Later, having been asked through my RTI application about the actions taken on my information, it was informed by the DGCEI, Kolkata vide their reply, File No.1/KZU/KOL/Gr.B/First Appeal/2019 dated 25.01.2019 (copy enclosed herewith) that the tax evasion of around Rs.1.5 cr had been confirmed. The evading party had to pay the evaded tax amount along with interest and penalty thereon as per the contemporary rules and regulation. It was also informed that for recovery and further action in this concern, the matter was forwarded to the Deputy Commissioner, T & R Branch, Headquarters, Kolkata North Commissionerate.

Further, in reply to my RTI application, it was informed by the Assistant Commissioner, Khardah Division, CGST & CS Kolkata North Commissionerate vide C. No. V (30) 178/RTI/GST/Tech/KDII/2018-19 dated 10.05.2019 (copy enclosed herewith) that the matter had been

pending before Appeal-I, Kolkata North Commissionerate, O/o the Commissioner of CGST & Central Excise.

On being enquired of, the Appeal-I, Kolkata North Commissionerate, O/o the Commissioner of CGST & Central Excise informed vide their communications, File No.GAPPL/RTI/29/2020-VIG-O/o COMMR-CGST-APL-I-KOLKATA dated 22.10.2020, File No.GAPPL/RTI/29/2020-VIG-O/o COMMR-CGST-APL-I-KOLKATA/1230-A dated 02.12.2020 & C No.GAPPL/RTI/29/2020-VIG-O/o COMMR-CGST-APL-I-KOLKATA/188-A dated 13.01.2021 (copies enclosed herewith) that out of four cases, only two cases were filed in appeal before them and **no appeal had been filed against other two cases**. Furthermore, these two pending appeals were also disposed of vide Appeal Order No. 622/S.Tax-I/Kol/2018 dated 21.12.2018 and Appeal Order No.22/S.Tax-I/Kol/2019 dated 29.03.2019 (copies of the appeals also enclosed herewith).

Lately, it has been informed by the Assistant Commissioner, Khardah Division, Kolkata North CGST & CE Commissionerate, who is the jurisdictional authority for recovery of the taxes that in respect of the two cases, out of the four cases, **the information is not readily available to them** and in respect of other two cases, **they are at unconfirmed stage** vide C.No. V(30)01/RTI/GST/Tech/KDH/2022 dated 23.02.2022 (copy enclosed herewith).

Sir, I informed about the tax evasion on 18.02.2015 and total four cases were made out. Out of the four cases, no appeal was filed in respect of the two cases and so there was no legal obstacle before the officers responsible to recover the evaded tax along with interest and penalty thereon, still, no recovery was made by the responsible officers in more than 7 years and now, they are saying that the documents/records of these two cases are not readily available to them whereas these officers are solely responsible to keep the records safe.

Further, in two cases appeals were disposed on 21.12.2018 and 29.03.2019, still after more than two and half years, these officers are just sitting idle and not taking concrete steps to recover the evaded tax along with interest and penalty thereon.

It is quite obvious from my above submission along with documentary evidence that the officers responsible for recovery of the Government Money are not working with due diligence and devotion. It will be of no use of my giving information to these authorities and putting myself at risk if due amount is not recovered.

It is, therefore, requested to take necessary action for recovery of the evaded tax along with interest and penalty thereupon as soon as possible so that my efforts could not be wasted and other citizens could be inspired to help the authorities in such cases.

Date:--

Yours faithfully,

(MANISH KUMAR)

Enclosures: -

- i) Letter of information dated 18.02.2015 at p-4-7/c
- ii) File No.1/KZU/KOL/Gr.B/First Appeal/2019 dated 25.01.2019 at p- 8-15/c
- iii) C. No. V (30) 178/RTI/GST/Tech/KDII/2018-19 dated 10.05.2019 at p-16-17/c
- iv) File No.GAPPL/RTI/29/2020-VIG-O/o COMMR-CGST-APL-I-KOLKATA dated 22.10.2020 at p-18-19
- v) File No.GAPPL/RTI/29/2020-VIG-O/o COMMR-CGST-APL-I-KOLKATA/1230-A dated 02.12.2020 at p-20-21
- vi) C No.GAPPL/RTI/29/2020-VIG-O/o COMMR-CGST-APL-I-KOLKATA/188-A dated 13.01.2021 at p-22-23
- vii) Appeal Order No.622/S.Tax-I/Kol/2018 dated 21.12.2018 at p-24-37/c
- viii) Appeal Order No.22/S.Tax-I/Kol/2019 dated 29.03.2019 at p-38-51/c
- ix) C.No. V(30)01/RTI/GST/Tech/KDH/2022 dated 23.02.2022 at p-52/c

Copy for information and necessary action to:

- (i) Sri Ram Nath Kovind, the President of India, Rastrapati Bhavan, New Delhi-110004
- (ii) Sri Narendra Modi, the Prime Minister of India, Prime Minister's Office, South Block, Raisina Hill, New Delhi-110011
- (iii) Smt. Nirmala Sitharaman, the Finance Minister of India, 15, Safdarganj Road, New Delhi-110001
- (iv) Sri Tarun Bajaj, the Secretary, Department of Revenue, Ministry of Finance, Room No.128-A, North Block, New Delhi-110001
- (v) Sri Alok Shukla, Pr. Director General, Directorate General of GST Intelligence, 1st & 2nd Floor, Wing No.-06, West Block, 08, RK Puram, new Delhi-110066
- (vi) Sri Gaurav Sinha, Additional Director General, Directorate General of GST Intelligence, 4/2 Karaya Road, 4th Floor, Kolkata-700017

(vii) Smt.V. Rama Mathew, Pr. Commissioner of Central Goods & Service Tax, Kolkata North, GST Bhavan, 180, Shanti Pally, R.B. Connector, Kolkata-700107

(viii) Sri S.K.Naskar, Assistant Commissioner, O/o of the Assistant Commissioner, Khardah Division, Kolkata North CGST & CE Commissionerate, 18/2 Ghoshpara Road, Barrackpore, Kolkata-700120



letter.pdf
817.5kB



enclosures.pdf
16MB