



सत्यमेव जयते

मुख्य आयुक्त का कार्यालय

**OFFICE OF THE CHIEF COMMISSIONER**

केन्द्रीय जीएसटी और केन्द्रीय उत्पाद शुल्क, वडोदरा जोन

**CENTRAL GST AND CENTRAL EXCISE, VADODARA ZONE**

द्वितीय तल, केन्द्रीय उत्पाद शुल्क भवन, रेसकोर्स सर्कल, वडोदरा-390007(गुजरात)

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**Order-in-Appeal No. 09 /2020 dated 10 .12.2020**

Name and Address of the Appellant	Shri Vikas Kumar, A-2, 303, Janki Residency, Canal Road, Surat-395005
Name of the First Appellate Authority	Shri Vishwajeet Singh, Joint Commissioner (CCO), Central GST & Central Excise Vadodara Zone, Vadodara
Reference	First Appeal filed against the reply/ information provided vide letter F.No. IV/16-106/CCO/RTI/2020 Dated 04.11.2020 by CPIO/ Assistant Commissioner, CCO, Central GST & Central Excise, Vadodara Zone, Vadodara.

Any person aggrieved by this Order-in-Appeal may file an appeal to the Chief Information Commissioner, Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi - 110 067 within 90 days of receipt of this order.

(A) **BRIEF FACTS OF THE CASE:-**

Shri Vikas Kumar, A-2, 303, Janki Residency, Canal Road, Surat, Pin: 395005, Gujarat has filed an online appeal bearing registration No. CCEVD/A/E/20/00014 dated 16.11.2020, against the reply given by CPIO/Assistant Commissioner (CCO), Vadodara Zone, vide letter F. No. IV/16-106/CCO/RTI/2020 dated 04.11.2020, in response to his online RTI application registration No. CCEVD/R/E/20/00111 dated 15.10.2020.

(B) **GROUND OF APPEAL:-**

The appellant preferred the present appeal dated 16.11.2020, as he is not satisfied with the information supplied to him by the CPIO/ Assistant Commissioner (CCO), Vadodara Zone, vide letter F.No.IV/16-106/CCO/RTI/2020 dated 04.11.2020, in respect of information sought in his RTI application.

The information sought by the appellant, vide online RTI application No. CCEVD/R/E/20/00111 dated 15.10.2020 is as under:

" I Vikas Kumar, Sr. Tax Assistant, posted at DGGI, SZU, Surat on loan basis, submitted the representation dated 03.05.2019, regarding promotion in the grade of Inspector from Senior Tax Assistant in reference of Old Recruitment Rules of Inspector published in 2002 and same is submitted in DGGI, SZU, Surat on 07.05.2019 to forward CGST & Central EXcise, Vadodara Zone, Vadodara. In this regard, it is requested to give the status my representation dated 03.07.2019 alongwith copy of notesheet and other documents, if any."

The reply given by the CPIO vide letter F.No. IV/16-106/CCO/RTI/2020 dated 04.11.2020 is as follows:-

In this regard, the representation dtd. 03.05.2019, as mentioned in the RTI application, is not available with this office and hence the information called for could not be provided.

The present appeal is on the following grounds:-

Provided Incomplete, Misleading or False Information

(C) **PRAYERS:-**

The appellant has submitted the following grounds of the Appeal:-

Please refer to your RTI reply vide F.No.IV/16-106/CCO/RTI/2020/904 Dated 04.11.2020, in respect of Shri Vikas Kumar, Surat. In this regard, it is to submit that I am not satisfied with your reply. I had submitted my representation on dated 07.05.2019, regarding promotion in the grade of inspector from Senior Tax Assistant in reference of Old Recruitment of Inspector published in 2002, in DGGI, SZU, Surat Office and I had been informed from the concerned section of DGGI, SZU, Surat that my representation had forwarded to CCO office on dated 07.05.2019 through Dispatch. Therefore, it is once again requested to give the status of my Representation at your end please with necessary documents (Copy of Note sheet and other if any).

(D) **PERSONAL HEARING:-**

Personal hearing was given to appellant for clarification of information sought, on 08.12.2020 at 11.30 Hrs. The appellant has not attended the hearing.

(E) **DISCUSSION AND FINDINGS:-**

I have referred to the appeal application dated 16.11.2020. I have referred to the RTI application dated 15.10.2020 and the information supplied to the appellant vide letter F.No. IV/16-106/CCO/RTI/2020 dated 04.11.2020 by the CPIO.

I refer to Hon'ble CIC's order, in the case of Avinash Agarwal vs. CPIO, Indian Overseas Bank, Central Office, Chennai vide Decision No. CIC/IOVBK/A/ 2017/ 186064 Dated 28.12.2017 held that", the CPIO is not supposed to interpret information; or to furnish replies to situational queries; or to furnish clarifications. The CPIO can only provide information available with him or held by him.

I find that, the CPIO has informed the appellant that, the representation dtd. 03.05.2019, as mentioned in the RTI application, is not available with this office and hence the information called for could not be provided.

I hold that the reply given by the CPIO vide F.No. IV/16-106/CCO/RTI/2020 dated 04.11.2020 is proper.

Accordingly, I pass the following order.

**ORDER**

I find no reasons to interfere with the order dated 04.11.2020 passed by the CPIO, issued from F.No. F.No. IV/16-106/CCO/RTI/2020.

O/C

*Vishwajeet Singh*  
10.12.2020

(Vishwajeet Singh)  
First Appellate Authority (RTI) &  
Joint Commissioner (CCO)  
Central GST & Central Excise  
Vadodara Zone

**BY SPEED POST**

F.No. IV/16-106/CCO/RTI/2020  
To  
Shri Vikas Kumar,  
A-2, 303, Janki Residency, Canal Road, Surat-395005

1114 1115

Vadodara, dated: 10.12.2020

Copy by Speed Post to:-

1. The CPIO & Assistant Commissioner, CCO, Central GST & Central Excise, Vadodara Zone, Vadodara.
2. The Central Information Commissioner, CIC Bhawan, Baba Gangnath Marg Munirka, New Delhi - 110 067