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OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF
GST AND CENTRAL EXCISE
TAMILNADU AND PUDUCHERRY ZONE

26/1, महात्मागांधीमार्ग, नुंगम्बाक्कम, चेन्नै-600 034
26/1, Mahatma Gandhi Road, Nungambakkam, Chennai 600 034

सी सं /C.No.II/39/78/2020-CCA.RTI.APPEAL

दिनांक/Dated : 17/09/2020

ORDER-IN-APPEAL NO.07/2020-CCA-RTI(Appeals)
(Order passed by B. Senthilvelavan I.R.S.,
Additional Commissioner and First Appellate Authority)

1. This Order-in-Appeal is issued under Sub-Section (1) of Section 19 of the Right to Information Act, 2005.
2. An appeal against this order can be preferred to the Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi - 110 067, under Sub-Section(3) of Section 19 of the Right to Information Act, 2005.
3. An appeal against this order must be filed within 90 days from the date of receipt of this order.
4. For further information regarding procedure of appeals, please visit <http://cic.gov.in>

K. Rajarajacholan

Assistant Commissioner of Customs (Retired),
No. 61, 4th Cross Street,
MMG Nagar, Karaikal,
Puducherry (UT) - 609 602.

..... Appellant

Versus

The CPIO, Assistant Commissioner,
Office of the Principal Chief Commissioner of GST & Central Excise, Chennai Zone,
26/1, Mahatma Gandhi Road, Nungambakkam,
Chennai - 600034.

..... Respondent

Shri K. Rajarajacholan, Assistant Commissioner of Customs (Retired), No. 61, 4th Cross Street, MMG Nagar, Karaikal, Puducherry (UT) – 609 602 (hereinafter referred to as “the appellant”) filed an appeal dated 13.08.2020 received in this office on 17.08.2020 under the Right to Information Act, 2005 (hereinafter referred to as “the RTI Act”) against the reply given by the Central Public Information Officer, Office of the Principal Chief Commissioner of Central Excise, Chennai Zone, vide C.No.II/39/60/2020-CCA.RTI dated 20.07.2020.

2.1 The brief facts of the issue are that the appellant in his RTI application dated 12.06.2020 received in this office on 17.06.2020 had sought the following information :

1. A copy of the approved Pay Fixation Statement in respect of Shri V. R. Rajagopalan, Assistant Commissioner of Central Excise and GST (Retired) relating to the grant of Pay Anomaly on par with his junior and copy of the Order of the competent authority.
2. Any other officer who has been granted benefit in the grade of Superintendent and the copy of the same.

2.2 The CPIO vide letter C.No. II/39/308/2019-CCA.RTI dated 06.07.2020 and C.No. II/39/60/2020-CCA.RTI dated 20.07.2020 furnished reply in respect of the query mentioned in the said RTI application.

3.1 Aggrieved by the reply furnished by CPIO vide letter C.No. II/39/60/2020-CCA.RTI dated 20.07.2020, the appellant filed an appeal dated 13.08.2020 received in this Office on 17.08.2020 before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 and stated that he was not provided with the approved pay fixation statement.

3.2 The appellant requested the First Appellate Authority to pass OIA to provide him information as per his RTI application.

DISCUSSIONS & FINDINGS

4. I have carefully gone through the RTI application, reply given by CPIO and appeal filed by the applicant.

5. The appellant vide RTI application dated 13.08.2020 received in this office on 17.08.2020 has sought information regarding the copy of the approved Pay Fixation Statement in respect of Shri V. R. Rajagopalan, Assistant Commissioner of Central Excise and GST (Retired) relating to the grant of Pay Anomaly on par with his junior and copy of the Order of the competent authority and copy of the order of any other officer who has been granted benefit in the grade of Superintendent. The CPIO vide letter C.No. II/39/308/2019-CCA.RTI dated 06.07.2020 informed the appellant that with regard to Pay Fixation Statement in respect of Shri V. R. Rajagopalan, Assistant Commissioner of


Central Excise and GST (Retired), his application was being forwarded to the CPIO of Chennai Audit-II Commissionerate coming under the jurisdiction of CCA, Chennai, under **Section 6(3)** of the Right to Information Act, 2005, for furnishing the information directly to the him as Shri. V. R. Rajagopalan was working in Chennai Audit-II Commissionerate at the time of Superannuation. With regard to the information that if any other officer has been granted this benefit in the grade of Superintendent, it was informed to the appellant that the desired information is not available with this office alone and that the same may be available with all the Commissionerates coming under the jurisdiction of CCA, Chennai. Hence the application was forwarded to the CPIOs of all the Commissionerates coming under the jurisdiction of CCA, Chennai, under **Section 6(3)** of the Right to Information Act, 2005, for furnishing the information directly to the appellant. Also CPIO vide letter C.No. II/39/60/2020-CCA.RTI dated 20.07.2020 has provided the copy of the Order relating to the Pay fixation of any other officer who has been granted the same benefit in the grade of Superintendent.

6. With regards to the appellant's contention that CPIO vide letter C.No. II/39/60/2020-CCA.RTI dated 20.07.2020 had not provided the approved pay fixation statement, it is observed from the application that the appellant has only asked for the copy of the Order relating to the Pay fixation of any other officer who has been granted the same benefit in the grade of Superintendent. Hence, the copy of the Order of the competent authority was provided to the appellant. However, I direct CPIO to provide the copy of the approved Pay Fixation Statement of any other officer who has been granted the same benefit in the grade of Superintendent.

7. In view of the above, I proceed to pass the following order.

ORDER

(i) I direct CPIO to provide the copy of the approved Pay Fixation Statement of any other officer who has been granted the same benefit in the grade of Superintendent within 15 days of receipt of this Order.


 (B. SENTHILVELAVAN) 17/09/20
ADDITIONAL COMMISSIONER
FIRST APPELLATE AUTHORITY

K. Rajarajacholan
 Assistant Commissioner of Customs (Retired),
 No. 61, 4th Cross Street,
 MMG Nagar, Karaikal,
 Puducherry (UT) – 609 602.

[By Speedpost with A/D]

Copy to:
 The CPIO, Assistant Commissioner,
 Office of the Principal Chief Commissioner of Central Excise, Chennai Zone.