	दूरभाष /Telephone :044-28331011 फेक्स /Fax :044-28331113
OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF GST AND CENTRAL EXCISE TAMILNADU AND PUDUCHERRY ZONE 26/1, महात्मा गांधी मार्ग, तुंगम्बाक्कम, चेन्नै-600 034 26/1, Mahatma Gandhi Road, Nungambakkam, Chennai 600 034		

सी सं /C.No.II/39/32/2020-CCA.RTI.APPEAL

दिनांक/Dated : 05/03/2020

ORDER-IN-APPEAL NO. 03/2020-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, Baba Gang Nath 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>

Shri K.S. Jain
27, IAS Officers' Colony,
5th 'B' Cross, 16th Main,
BTM Layout, II nd Stage,
Bangalore - 560 076.

..... 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

Sub : Right to Information Act, 2005 - Shri K.S. Jain - Appeal against the information furnished by the CPIO, Assistant Commissioner, vide C.No.II/39/16/2020-CCA.RTI dated 06.02.2020 - Passing of Order by First Appellate Authority under RTI Act, 2005 - Reg.

Shri K.S. Jain, # 27, IAS Officers' Colony, 5th 'B' Cross, 16th Main, BTM Layout, II nd Stage, Bangalore - 560 076 (hereinafter referred to as "the appellant") filed an appeal dated 17.02.2020 received in this office on 17.02.2020 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/39/16/2020-CCA.RTI dated 06.02.2020.

2.1 The brief facts of the issue are that the appellant in his RTI application dated 11.01.2020 received in this office on 13.01.2020 had sought the following information :

- 1) Action taken on the appellant's letter No. J5/419/2019 dated 24.12.2019.
- 2) Xerox copy of Internal Note Sheet generated on and after receipt of above letter, copy of reply/reference made if any and reply received.

2.2 The CPIO vide letter C.No. II/39/16/2020-CCA.RTI dated 06.02.2020 furnished reply in respect of the query mentioned in the said RTI application.

3.1 Aggrieved by the reply furnished by CPIO, the appellant filed an appeal dated 17.02.2020 received in this Office on 17.02.2020 before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 and stated that he was not satisfied with CPIO's reply.

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.

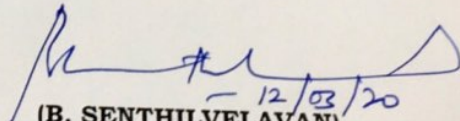
5. The appellant vide RTI application dated 11.01.2020 received in this office on 13.01.2020 has sought information regarding the Action taken on the appellant's letter No. J5/419/2019 dated 24.12.2019, copy of Internal Note Sheet generated on and after receipt of above said letter, copy of reply/reference made if any and reply received. The CPIO vide letter C.No. II/39/16/2020-CCA.RTI dated 06.02.2020 furnished reply stating that the issue has been dealt in detail and the relevant Note sheets generated for receipt of the appellant's letter dated 03.07.2019 were already shared to the assessee in response to RTI application under Ref No. J5/336/2019 dated 27.09.2019. Further, the copy of the internal Note sheet generated on receipt of the letter dated 24.12.2019 till the date of sending reply was also provided to the appellant.

6. With regard to the appellant's contention that CPIO had not furnished the requested information, it is informed that the Right to Information Act, 2005 only intends to provide the information on records and not otherwise to satisfy the RTI applicant with the reply. The letter Reference No. J5/419/2019 dated 24.12.2019 addressed to the Principal Chief Commissioner seeks an appointment to bring to Notice in person, as to how Review has not been done as per Board's Instruction No. 390/CESTAT/69/2014 JC dated 22.12.2015 and also if needed, requests the Commissioner/Puducherry or any other officer to be present to put forth their views. The reason quoted for seeking an appointment of Principal Chief Commissioner for pointing out a Review decision as to how review has not been done as it ought to have been done by the Commissioner was felt unwarranted, in as much the earlier reference on the said subject has already been handled and dealt in detail in response to M/s Jeevan Diesel's letter dated 03.07.2019 and the two Note sheets generated has also been shared to the appellant in response to earlier RTI application No. J5/336/2019 dated 27.09.2019. In this background, the letter dated 24.12.2019 has been dealt in this office and the Note sheet generated has also been shared to the appellant. Further in as much the Note sheets generated has been shared, no other information on record is available for sharing with the appellant.

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

ORDER

(i) I hold that the information furnished by the CPIO is sufficient and proper and there is no justification in the grievance of the appellant on the same. Hence, I reject the appeal as not maintainable under Right to Information Act, 2005.


- 12/03/20
(B. SENTHILVELAVAN)
ADDITIONAL COMMISSIONER
FIRST APPELLATE AUTHORITY

To
Shri K.S. Jain
27, IAS Officers' Colony,
5th 'B' Cross, 16th Main,
BTM Layout, II nd Stage,
Bangalore - 560 076.

[By Speedpost with A/D]

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