1 NATION TAX MARKET GST

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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

C.No.II/39/118/2020-CCA.RTI.APPEAL Dated : 10/12/2020

**ORDER-IN-APPEAL NO. 13/2020-CCA-RTI(Appeals)**
**(Order passed by B. Senthilvelavan I.R.S.,**
**Additional Commissioner and First Appellate Authority)**

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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

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**Ms. Preeti Singh**
S4, Sri Mayoora Apt.,
Goodwill Nagar, West Tambaram,
Chennai – 600 063.

..... 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

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Sub: Right to Information Act, 2005 – Ms. Preeti Singh – Appeal againstthe information furnished by the CPIO, Assistant Commissioner, vide C.No.II/39/101/2020-CCA.RTI dated 03.11.2020 – Passing of Order by First Appellate Authority under RTI Act, 2005 – Reg.

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Ms. Preeti Singh, S4, Sri Mayoora Apt., Goodwill Nagar, West Tambaram, Chennai – 600 063 (hereinafter referred to as "the appellant") filed an appeal dated 12.11.2020 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/39/101/2020-CCA.RTI dated 03.11.2020.

2.1 The brief facts of the issue are that the appellant in her RTI application dated 07.10.2020 had sought the following information:

1) Total number of vacancies available as on 05.10.2020 for promotion to the grade of Superintendent.
2) No. of vacancies available in SC category as on 05.10.2020 for promotion to the grade of Superintendent.
3) Category wise breakup of vacancies as on 05.10.2020.
4) No. of Inspectors who were promoted to the grade of Superintendent in DPC 2019 and DPC 2020 based on reservation roster @ 15%.
5) Was the roster for promotion of Inspectors to the grade of Superintendent of SC/ST candidates followed in the DPC 2019 & DPC 2020?

2.2 The CPIO vide letter C.No. II/39/101/2020-CCA.RTI dated 03.11.2020 furnished reply in respect of the queries mentioned in the said RTI application.

3.1 Aggrieved by the reply furnished by CPIO, the appellant filed an appeal dated 12.11.2020 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 07.10.2020 has sought information regarding the vacancies available for promotion of Inspectors to the grade of Superintendent. The CPIO vide letter C.No. II/39/101/2020-CCA.RTI dated 03.11.2020 furnished reply in respect of the queries. With respect to Point No. 1, the appellant was informed that as on 01.10.2020, there are 65 vacancies in the grade of Superintendent. With respect to Point No. 2 & 3, the appellant was informed that the details of SC category vacancies and category wise breakup vacancies for promotion to the grade of Superintendent are not available with this office. With respect to Point No. 4, the appellant was informed that 19 and 14 Inspectors were promoted to the grade of Superintendent based on reservation roster @ 15 % in DPC 2019 and DPC 2020 respectively. With respect to Point No. 5, the appellant was informed that the roster for promotion of Inspectors to the grade of Superintendent of SC/ST candidates was followed in the DPC 2019 & 2020.

6. With regards to the appellant's contention on Point No. 2 that he is not satisfied with the CPIO's reply, it is informed that the details of category wise vacancies are maintained only for DPC purpose and not on day to day basis. Hence details of SC category wise vacancies as on 05.10.2020 for promotion to the grade of Superintendent is not available in this office. The Post Based Roster is duly maintained for all the DPCs and also the same is verified by the Liaison officer for SC & ST.

7. With regards to the appellant's contention on Point No. 3 that he is not satisfied with the CPIO's reply, it is informed that the details of category wise vacancies are maintained only for DPC purpose and not on day to day basis. Hence details of category wise vacancies as on 05.10.2020 for promotion to the grade of Superintendent is not available in this office. The Post Based Roster is duly maintained for all the DPCs and also the same is verified by the Liaison officer for SC & ST.

8. With regards to the appellant's contention on Point No. 4 that CPIO has provided false fact, it is informed that the appellant has mentioned that 171 officers were promoted to the grade of Superintendent in DPC 2020. The same itself is not correct since 206 officers were promoted to the grade of Superintendent in the DPC 2020. The applicant's calculation i.e. 25 officers (15% of 171) belonging to SC Category should have been promoted @15% instead of 14 officers is also not correct. The officers belonging to SC category were promoted based on the vacancies available in the Post Based Roster.

9. With regards to the appellant's contention on Point No. 5 that the reply provided by CPIO is not correct, it is informed that the appellant was already provided

with the information that the roster for promotion of Inspectors to the grade of Superintendent of SC/ST candidates was followed in all DPCS including in the DPC 2019 and 2020.

10. Therefore, with regards to the appellant's contention that CPIO has given false facts and that he is not satisfied with the CPIO's reply, it is informed that CPIO has furnished reply to all the queries raised by the appellant in his RTI application and 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. Hence, there is no justification in the grievance of the appellant.

11. Also, it is observed that the appellant vide his appeal is trying to redress his grievances which is not in the spirit of RTI Act. In this regard, it is informed that the RTI is not the appropriate forum for redressing one's grievances. Therefore, I am of the view that CPIO has furnished reply in respect of all the queries raised by the appellant in his RTI application and that the appeal filed by the Appellant is beyond the nature and scope of the RTI act, 2005.

12. 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.

10/12/20

**(B. SENTHILVELAVAN)**
**ADDITIONAL COMMISSIONER**
**FIRST APPELLATE AUTHORITY**

को प्राप्त और प्रेषित
11/12/20
ETVS & DESPATCHED

Ms. Preeti Singh
S4, Sri Mayoora Apt.,
Goodwill Nagar, West Tambaram,
Chennai – 600 063.

**[By Speedpost]**

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