

		दूरभाष/ Telephone:044-28331011 फैक्स/ Fax :044-28331113
<b>OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF CGST AND CENTRAL EXCISE, TAMILNADU AND PUDUCHERRY ZONE</b> 26/1, महात्मागांधीमार्ग, नुंगम्बाक्कम, चेन्नै-600 034 26/1, Mahatma Gandhi Road, Nungambakkam, Chennai 600 034		

**ORDER-IN-APPEAL NO.08/2021-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>

**Ms. Monika**

Vishnu Narshima Apartment, Plot No. 5052,  
B3, 5<sup>th</sup> Street, Ram Nagar North Extension,  
Madipakkam, Tamilnadu – 600 091.

..... 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. Monika – Appeal dated  
06.07.2021 – Reg.

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Ms. Monika, Vishnu Narshima Apartment, Plot No. 5052, B3, 5<sup>th</sup> Street, Ram Nagar North Extension, Madipakkam, Tamilnadu – 600 091 (hereinafter referred to as “the appellant”) filed an appeal dated 06.07.2021 under the Right to Information Act, 2005 (hereinafter referred to as “the RTI Act”).

2.1 The brief facts of the issue are that the appellant in her RTI application dated 20.05.2021 had sought the following information:

1. Number of Inspectors of GST & Central Excise who got promoted in the DPC held in December 2020.
2. Number of Inspectors who applied for proforma promotion and names of Inspectors who applied for proforma promotion after DPC held in December 2020.
3. Whether any order passed for the Inspectors for granting proforma promotion who applied for proforma promotion after DPC held in December 2020; copy of the order if any or reason for not granting proforma promotion.
4. Whether any Inspector from S.No. 2 denied for proforma promotion and any Inspector withdrew his request or option for proforma promotion.
5. Whether any inspector who opted for proforma promotion and was working under any directorate or ministry or department on deputation was relieved or ordered in the rank of inspector to join another department on deputation without granting him proforma promotion or promotion as Superintendent. Provide the name and in which department he is posted for joining on deputation and reason thereof or not granting proforma promotion and without giving him any opportunity to join as Superintendent.

2.2 The CPIO vide letter C.No. II/39/64/2021-CCA.RTI dated 01.07.2021 informed the appellant that the reply would be provided in another 30 days since the information sought for is under process. However, the reply has been returned to this office unclaimed.

3.1 Now, the appellant filed an appeal dated 06.07.2021 before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 and stated that she had not received any response within the time limit.

3.2 The appellant requested the First Appellate Authority to pass OIA to provide her information as per her 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 20.05.2021 had sought information regarding the number of Inspectors of GST & Central Excise who got promoted in DPC held in December 2020, number of Inspectors who applied for Proforma Promotion etc. The CPIO vide letter C.No. II/39/64/2021-CCA.RTI dated 01.07.2021 informed the appellant that the reply would be provided in another 30 days since the information sought for is regarding the grant of Proforma Promotion to the officers promoted in Annual DPC 2021, which is under process. It was also informed to the appellant vide letter C.No. II/39/64/2021-CCA.RTI dated 01.07.2021 that this office was not in a position to reply within 30days as stipulated in the RTI Act, 2005 due to pandemic COVID-19 and ensuing lockdown.

6. With regard to the appellant's contention that CPIO had not provided response within the time limit, it is informed that the CPIO's interim reply letter C.No. II/39/64/2021-CCA.RTI dated 01.07.2021 seeking 1 month extension time has been returned to this Office unclaimed. However, the same interim reply letter seeking 1 month extension time was sent to the mail id provided by the appellant (vinodrana369@gmail.com) in the RTI application on 06.07.2021. Since, the CPIO had already provided interim reply stating that the reply would be provided in another 30 days, there is no justification in the grievance of the appellant that CPIO had not provided the response within the time limit.

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

**ORDER**

(i) I hold that there is no justification in the grievance of the appellant since the CPIO had already provided interim reply stating that the reply would be provided in another 30 days. However, I direct CPIO to provide the reply to the appellant within the said time mentioned in the interim reply dated 01.07.2021.

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

Copy to:

**Ms. Monika**

Vishnu Narshima Apartment, Plot No. 5052,  
B3, 5<sup>th</sup> Street, Ram Nagar North Extension,  
Madipakkam,  
Tamilnadu – 600 091.

Copy to:

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