

	<p>केंद्रीय शुल्क के प्रधान आयुक्त का कार्यालय OFFICE OF THE PRINCIPAL COMMISSIONER OF CENTRAL TAX हैदराबाद जीएसटी आयुक्तालय HYDERABAD GST COMMISSIONERATE जीएसटी भवन, एल बी स्टेडियम रोड, बशीर बाग, हैदराबाद-500 004 GST BHAVAN, L B STADIUMROAD, BASHEERBAGH, HYDERABAD-500004 Phone No.040-23241117 / 23240725 Fax No. 040-23299204 e-mail:cgst.hydcmmr@gov.in</p>	 <p>15 15700 : 2005 Certified Commissionerate</p>
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C.No. IV/16/205/2019- RTI (Tech)

Date:07.01.2020

आदेश सं. Order No.01/2020

एन मधुसुदन रेड्डी, उपायुक्त (तक)/अधिकारी सूचना लोक केन्द्रीय,
हैदराबाद जीएसटी आयुक्तालय द्वारा पारित
(Passed by N Madhusudana Reddy, Deputy Commissioner (Tech)/CPIO of
Hyderabad GST Commissionerate).

प्रस्तावना PREAMBLE

सूचना का अधिकार अधिनियम 2005 धारा की 19(1) के अंतर्गत आवेदक, यदि इस आदेश से व्यथित हो तो, अपीलीय प्राधिकारी संयुक्त आयुक्त, केन्द्रीय कर व सीमा शुल्क, हैदराबाद आयुक्तालय, 2वा तल, जी. एस. टी. भवन, हैदराबाद -500 004 के समक्ष इस आदेश की प्राप्ति के 30 दिन के भीतर अपील कर सकता है।

Under Section 19(1) of the Right to Information Act, 2005 the applicant, if aggrieved by this order, can prefer an appeal to Sri V.Vasudha Prasada Rao, Additional Commissioner & Appellate Authority of Central Tax & Customs, Hyderabad Commissionerate, 2nd Floor, Room No.321, GST Bhavan, Basheerbagh, Hyderabad-500 004 within 30 days from the date of receipt of this order.

Sub:- RTI Act, 2005 - Application filed by Shri. K Dasaradhi Gupta-
Reg.

Please refer to the RTI application bearing Registration No.CBECE/R/2019/51255/2 dated 17.10.2019 filed by Shri. K Dasaradhi Gupta received from CPIO, Nodal Officer, CCO, Hyderabad Zone vide letter C.No.IV/16/147/2019-CC(HZ)RTI dated 12.12.19 on 13.12.19 seeking certain information.

2. आपके आवेदन में सूचना का अधिकार के तहत मांगी गई हैदराबाद जी एस टी आयुक्तालय की जानकारी निम्नानुसार है :

The reply pertaining to Hyderabad GST Commissionerate with respect to the information called for is as under:

The information sought is not readily available in the requisite format and as per Section 7(9) of RTI Act, 2005 "An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question".

Further, Central Information Commission in its decision No. CIC/SB/A/2015/000168 dated 24-10-2016 while reiterating the judgment in the Registrar Supreme Court of India v. Commodore Lokesh K. Batra & Ors LPA 24/2015 & CM No. 965/2015 rejected to disclose the information sought under Section 7(9) of the RTI Act. The observation of the court is as under:

"15. On a combined reading of Section 4(1)(a) and Section 2(i), it appears to us that requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, 'right to information' under Section

2(j) means only the right to information which is held by any public authority. We do not find any other provision under the Act under which a direction can be issued to the Public authority to collate the information in the manner in which is sought by the applicant”.

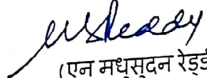
In view of the above, as the information sought is not maintained in the proforma attached by the applicant the same cannot be provided.

Further, the point wise reply is as under:

Point No.1: It is not clear as to what documents/information is being sought as no reference number or date is mentioned. Hence, information cannot be provided.

Point No.2: Copy of Counter affidavit filed in the Hon'ble Supreme Court in case of Shri B.S.Murthy vs others is not available in this office. Hence, the same cannot be provided.

Point No.3: All India Seniority of Superintendent of Central Excise list as on 01.01.2015 is available at CBIC portal (www.cbic.gov.in).


(एन मधुसुदन रेड्डी)
(N Madhusudana Reddy)
के.लो.सू.अ./ उपायुक्त (तक)
CPIO/DEPUTY COMMISSIONER(TECH)


To
Shri. K Dasaradhi Gupta,
301, Blue Berry Apt. Lotus Land Mark,
Kedareswarpet, Vijayawada,
Krishna District, Pin:520003.

Copy to: The Deputy/Assistant Commissioner & Central Public Information Officer,
Chief Commissioner's office, Hyderabad Zone, Hyderabad – for information.

Copy to: The Deputy/Assistant Commissioner (Computer Section) for uploading on
Hyderabad Zonal Website.

DESPATCH

Dated.....08/01/2020


5:20 PM