



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

वित्त मंत्रालय, राजस्व विभाग

MINISTRY OF FINANCE, DEPARTMENT OF REVENUE

आयुक्त का कार्यालय OFFICE OF THE COMMISSIONER

केंद्रीय वस्तु एवं सेवा कर तथा केंद्रीय उत्पाद शुल्क, अहमदाबाद उत्तर
CENTRAL GOODS & SERVICES TAX & CENTRAL EXCISE, AHMEDABAD NORTH

पहली मंजिल, कस्टम हाउस, नवरंगपुरा, अहमदाबाद - 380009

FIRST FLOOR, CUSTOM HOUSE, NAVRANGPURA, AHMEDABAD - 380009

फ़ोन Phone : 079-27542182 ई-मेल E-Mail : techahd2@gmail.com फ़ैक्स Fax : 079-27544463



F.No. IV/RTI-01/Appeal/2022-23

Date: 19.04.2022

स्पीड पोस्ट/पंजीकृत पावती डाक द्वारा

By Speed Post/Reg. AD

- क. फाइल संख्या/File Number : **IV/RTI-01/Appeal/2022-23**
- ख. मूल आदेश संख्या/
Order-in-Appeal : **01/APPEAL/RTI/2022-23**
- ग. जारीकर्ता/Passed By : **आर. गुलज़ार बेगम, प्रथम अपील अधिकारी,
केंद्रीय वस्तु एवं सेवा कर, अहमदाबाद उत्तर**
- घ. आदेश जारी करने की तारीख/
Date of Order/Issue : **19.04.2022**
- ङ. आवेदक का नाम व पता/Name &
address of the applicant : **Shri Daljit Singh, Intec Capital – 708,
Manjusha Building, 57-Nehru Place,
New Delhi-110019**

1. यह अपील का आदेश आवेदक को निःशुल्क उपलब्ध करवाया गया है।
This Order-in-appeal is granted free of charge to the applicant.
2. इस अपील के आदेश से असंतुष्ट होने पर सम्बंधित व्यक्ति सूचना के अधिकार अधिनियम, 2005 की धारा 19(3) के अंतर्गत निम्नलिखित को अपील कर सकता है:
केंद्रीय सूचना आयोग, बाबा गंगनाथ मार्ग, मुनिरका, नई दिल्ली - 110067

The person aggrieved by this Order-in-Appeal may file an appeal under Section 19(3) of the Right to Information Act, 2005 to the following:

**Central Information Commission, Baba Gangnath Marg, Munirka,
New Delhi – 110067**

3. सूचना के अधिकार अधिनियम, 2005 की धारा 19(3) के अनुसार एक आदेश की प्राप्ति से 90 दिन के अंदर केंद्रीय सूचना आयोग को अपील की जा सकती है।
Appeal shall be filed before Central Information Commission, within Ninety (90) days from the date of receipt of this order as per Section 19(3) of the Right to Information Act, 2005

ORDER-IN-APPEAL No. 01/APPEAL/RTI/2022-23
(UNDER RIGHT TO INFORMATION ACT, 2005)

Brief facts of the case:-

Shri Daljit Singh, Intec Capital – 708, Manjusha Building, 57-Nehru Place, New Delhi-110019 (hereinafter referred to as “the appellant”) has filed First RTI appeal dated 29.03.2022 (received in this office on 04.04.2022), under Section 19(1) of Right to Information Act, 2005. The said appeal is filed against RTI reply, supplied vide letter F. No. IV/RTI-34/2021-22 dated 04.01.2022 by the Central Public Information Officer, CGST & Central Excise, Ahmedabad North in respect of the RTI application dated 30.12.2021 (received in this office on 03.01.2022) filed by the appellant under Section 6 of the RTI Act, 2005.

2. The appellant vide the above RTI application dated 30.12.2021 requested to provide the information within 48 hours of the receipt of the application and requested for the following information:-

(i) *Please provide the details of movable and immovable assets of Mr. Kishor Kumar Narabhai Chavda.*

(ii) *Please provide the details of debts and liabilities of Mr. Kishor Kumar Narabhai Chavda*

(iii) *Please provide any other information related to Mr. Kishor Kumar Narabhai Chavda about his other asses and sources of income.*

Decision of CPIO:-

3. The CPIO, Central GST & Central Excise, Ahmedabad North has provided the point wise information vide reply letter file No. IV/RTI/34/2021-22 dated 04.01.2022 as under:-

Point (i):- The statement of immovable property for the year 2020 (as on 01.01.2021) in respect of Shri K. N. Chavda, is enclosed herewith. No yearly statement of movable property is called for by this office.

Point (ii):- No such record is available with this office.

Point (iii):- No such record is available with this office.

Grounds of Appeal:-

4. The appellant filed the aforesaid appeal on the following grounds:-

a) No response received within the specified period:- Response was received within the specified period.

b) Aggrieved by the response received within the specified period:- Though the response was received within the specified period, but information provided with is not updated and are incomplete.

c) Ground for appeal:- That Shri G Shiril Saroj & CPIO has failed to provide complete and correct information as sought by the appellant. Information provided by Shri G Shiril Saroj & CPIO was not satisfactory and was incomplete and so appellant being aggrieved by the said information of the CPIO, appellant is filing the present appeal.

Discussion & Findings:-

5. I have carefully considered the facts on records and contentions in the appeal application by the appellant.

6. The RTI application dated 30.12.2021 was disposed off vide letter F. No. IV/RTI-34/2021-22 dated 04.01.2022 of CPIO, CGST & Central Excise, Ahmedabad North and provided the information within 48 hours of receipt of the application, as required by the appellant. The aforesaid reply letter dated 04.01.2022 was dispatched vide Speed Post (Indian Post) having Consignment No. - **EG045371602IN** and the same was delivered on dated 10.01.2022 to the appellant. Hence, the CPIO, CGST & Central Excise, Ahmedabad North provided the desired information within the prescribed time limit of 30 days mentioned under Section 7(1) of the RTI Act, 2005.

7. Before scrutiny of facts of the case, the appeal filed by the applicant should be tested as whether it has been filed within the time stipulated. As per Section 19(1) of the RTI Act, 2005, the appeal against any RTI order has to be filed, before the First Appellate Authority within 30 days from the date of receipt of the RTI reply. As mentioned above, the appellant received the reply of his RTI application (dated 30.12.2021) on 10.01.2022, however, the First appeal was filed on 29.03.2022, which is after 49 days from the receipt of reply of RTI application. Hence, I do not accept the appeal as the same is not filed within the prescribed time limit of 30 days under Section 19(1) of the RTI Act, 2005.

9. In view of the above discussion and findings, I pass the following order:-

ORDER

The appeal is filed after the prescribed time period of 30 days under Section 19 (1) of the RTI Act, 2005. Hence, I hereby reject the appeal dated 29.03.2022.

आर. गुलज़ार बेगम

EC

(आर. गुलज़ार बेगम),
प्रथम अपील अधिकारी,
केंद्रीय वस्तु एवं सेवा कर,
अहमदाबाद उत्तर

F.No. IV/RTI-01/Appeal/2022-23
By Speed Post/RPAD
To,
Shri Daljit Singh,
Intec Capital - 708,
Manjusha Building,
57-Nehru Place,
New Delhi-110019

प्राप्त किया
वस्तु एवं सेवा कर, अहमदाबाद उत्तर
दिनांक: 19.04.2022
हस्ताक्षर: R.R.-1
नाम: Received time

05:00 PM

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