



सत्यमेव जयते

भारत सरकार  
GOVERNMENT OF INDIA  
वित्त मंत्रालय, राजस्व विभाग  
MINISTRY OF FINANCE, DEPARTMENT OF REVENUE  
आयुक्त का कार्यालय OFFICE OF THE COMMISSIONER

राष्ट्र  
कर  
बाजार

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

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

F.No. IV/RTI-02/Appeal/2022-23

Date: 22.04.2022

स्पीड पोस्ट/पंजीकृत पावती डाक द्वारा

By Speed Post/Reg. AD

- क. फाइल संख्या/File Number : **IV/RTI-02/Appeal/2022-23**
- ख. मूल आदेश संख्या/  
Order-in-Appeal : **02/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 : **.04.2022**
- इ. आवेदक का नाम व पता/Name: **जरिया कमलेश बी., 14, शक्ति पार्क, इशानपुर, अहमदाबाद  
& address of the applicant - 382443**

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

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**ORDER-IN-APPEAL No. 02/APPEAL/RTI/2022-23**  
**(UNDER RIGHT TO INFORMATION ACT, 2005)**

**Brief facts of the case:-**

Shri Jariya Kamlesh B., 14, Shakti Park, Ishanpur, Ahmedabad - 382443 (hereinafter referred to as "the appellant") has filed First appeal application dated 13.04.2022 (received in this office on 13.04.2022), under Section 19 of Right to Information Act, 2005. The said appeal application is filed against RTI reply vide letter F.No. IV/RTI-51/2021-22 dated 08.04.2022 issued by the Central Public Information Officer, CGST & Central Excise, Ahmedabad North against the RTI application dated 03.03.2022 (received in this office on 04.03.2022) filed by the applicant under Section 6 of the RTI Act, 2005.

2. The appellant vide the above RTI application dated 03.03.2022 requested to provide the details, which are as under:-

(i) *Provide the certified copy of the action taken on the basis of the letter written to the Superintendent, Anti - Evasion, Central Ahmedabad.*

(ii) *Provide the certified copy of all the documents submitted by the owners/transporter and goods at the time of seizure of Eicher vehicle number KA-14-C-3102 and KA-14-C-3104.*

(iii) *Provide the certified copy of penal/action taken by the GST Office against the owner/transporter of Eicher Truck No. KA-14-C-3102 and KA-14-C-3104.*

(iv) *According to the guidelines of GST, e-way bill is required to be given to which office and if there is no e-way bill, then to provide the certified copy of what action is taken as per GST guideline.*

(v) *Provide copies of bill and e-way bill submitted by owners/transporters to your office of arecanuts taken from KA-14-C-3102 and KA-14-C-3104. If copies of bill and e-way bill have not been submitted, then provide certified copy of what action has been taken by you.*

(vi) *Provide the name, designation and surname of the First Appeal Officer of your office.*

**Decision of CPIO:-**

3. The appellant filed the RTI application dated 03.03.2022 (received in this office on 04.03.2022) without Demand Draft or Indian Postal Order of Rs. 10/- as prescribed under Right to Information (Regulation of Fee and Cost) Rules, 2005. Hence, CPIO sent a letter F.No. IV/RTI-51/2021-22 dated 17.03.2022 (sent vide email dated 17.03.2022) to the appellant to submit Demand Draft or Indian Postal Order of Rs. 10/- to obtain the desired information.

4. The appellant vide letter dated 22.03.2022 submitted Indian Postal Order of Rs. 10/-. Hence, CPIO provided the desired information vide RTI reply letter F.No. IV/RTI-51/2021-22 dated 08.04.2022 (sent vide email dated 08.04.2022 and registered post)

**Grounds of Appeal:-**

5. The appellant filed First appeal dated 13.04.2022 on the following grounds:-  
*"Not satisfied with the reply of RTI application and requested to order the CPIO to provide the information without any fee".*

**Discussion & Findings:-**

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

7. The RTI application dated 03.03.2022 was disposed of vide letter F.No. IV/RTI-51/2021-22 dated 08.04.2022 by CPIO, CGST & Central Excise, Ahmedabad North and provided (vide email dated 08.04.2022) the information as desired by the appellant.

8. 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 RTI Act, 2005. 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 order. The appellant filed appeal dated 13.04.2022, which is within 5 days from the receipt of the RTI reply dated 08.04.2022. Hence, I accept the appeal as the same is filed within the prescribed time limit under Section 19(1) of the RTI Act, 2005.

9. Further, I find that the CPIO, CGST & Central Excise, Ahmedabad North vide letter F.No. IV/RTI-51/2021-22 dated 08.04.2022 provided the information sought by the appellant vide his RTI application dated 03.03.2022 (received in this office on 04.03.2022). As per the Section 7(1) of the RTI Act, 2005, CPIO shall provide the required information within 30 days from the receipt of the RTI request. I find that CPIO provided the information within the prescribed time limit under Section 7(1) of the RTI Act, 2005, excluding the time period of 5 days for obtaining the Indian Postal Order of Rs. 10/- from the appellant.

10. The appellant filed an appeal dated 13.04.2021 on the grounds that "he is not satisfied with the reply of RTI application and requested to order the CPIO to provide the information without any fee". I find that the CPIO provided the information, as sought by the appellant, on the basis of the reply submitted by the Deputy Commissioner (A.E.), CGST, Ahmedabad North vide letter F.No. GEXCOM/AE/OTH/RTI/2/2020 dated 06.04.2022 and email dated 08.04.2022. Further, I find that CPIO demanded the fee of Rs. 10/- vide Demand Draft/Indian Postal Order, which is prescribed under Right to Information (Regulation of Fee and Cost) Rules, 2005 to obtain the desired information.

11. In view of the above discussion and findings and pass the following order.

### ORDER

The CPIO, CGST & Central Excise, Ahmedabad North has provided the information as requested vide RTI application dated 03.03.2022, vide reply letter F.No. IV/RTI-51/2021-22 dated 08.04.2022 and demanded Demand Draft/IPO of Rs. 10/- as prescribed under RTI (Regulation of Fee and Cost) Rules, 2005.

In view of the above, the appeal dated 13.04.2022 is disposed of.

*R. Anshu B. J.*  
22/4/22

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

*Oh*

F.No. IV/RTI-02/Appeal/2022-23

By **RPAD/Speed Post**

To,

श्री जरिया कमलेश बी., 14, शक्ति पार्क,  
इशानपुर, अहमदाबाद - 382443

प्राप्त किया
वस्तु एवं सेवा कर, अहमदाबाद उत्तर
दिनांक: 22.04.2022
हस्ताक्षर: R.R. B. J.
नाम: Received Time

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