



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



स्पीड पोस्ट/पंजीकृत पावती डाक द्वारा

By Speed Post/Reg. AD

क. फाइल संख्या/File Number : **GEXCOM/RTI/FAAA/105/2022-TECH-O/o
COMMR-CGST-AHMEDABAD(N)**

ख. मूल आदेश संख्या/
Order-in-Appeal : **05/APPEAL/RTI/2022-23**

ग. जारीकर्ता/Passed By : **लोकेश डामोर, प्रथम अपील अधिकारी,
केंद्रीय वस्तु एवं सेवा कर, अहमदाबाद उत्तर**

घ. आदेश जारी करने की तारीख/
Date of Order/Issue : **26.08.2022**

इ. आवेदक का नाम व पता/Name:
& address of the applicant **Shailesh Dashrathlal Patel, 11, Kalindi
Bungalows, Nr. J.G. International School, Gulab
Tower Road, Thaltej, Ahmedabad - 380054**

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. 05/APPEAL/RTI/2022-23

(UNDER RIGHT TO INFORMATION ACT, 2005)

Brief facts of the case:-

Shri Shailesh Dashrathlal Patel, 11, Kalindi Bunglows, Nr. J.G. International School, Gulab Tower Road, Thaltej, Ahmedabad – 380054 (hereinafter referred to as “the appellant”) has filed First appeal application dated 15.08.2022 (received in this office on 22.08.2022), under Section 19 of Right to Information Act, 2005. The said appeal application is filed against RTI reply vide letter F. No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022 issued by the Central Public Information Officer, CGST & Central Excise, Division-VI, Ahmedabad North against the RTI application dated 23.06.2022 filed by the applicant under Section 6 of the RTI Act, 2005.

2. The appellant vide the above RTI application dated 23.06.2022 requested to provide the details of the following points:-

- (i) *What is the constitution of Atul Bikes (GST No. 24ABFFA5303G1ZZ) as you're your record?*
- (ii) *Provide the name of the person / partners / directors / trustee of Atul Bikes.*
- (iii) *Provide the address of Atul Bikes as per your record.*
- (iv) *Please provide the residential address of the person / partners / directors / trustee as of the record.*
- (v) *Whether the Atul Bikes is existing as of today on the record or not?*

Decision of CPIO:-

3. The appellant filed the RTI application dated 23.06.2022 (received in Division office on 24.06.2022) along with Demand Draft No. 817286 of Rs. 10/- as prescribed under Right to Information (Regulation of Fee and Cost) Act, 2005. Accordingly, the CPIO vide reply letter F. No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022 submitted that information in respect of point No. 1,3, & 5 is readily available on <https://WWW.gst.gov.in>. The information can be accessed by following path on the said website:-

Search Taxpayer => Search by GSTIN/UIN of

4. Further, information in respect of point No. 2 & 4 cannot be provided in terms of Section 8(1)(j) of the RTI Act, 2005.

Grounds of Appeal:-

5. The appellant filed First appeal on dated 15.08.2022 (received in this office on dated 22.08.2022) on the following grounds:-

Point No. (2): Provide the name of person / partners / directors / trustee of Atul Bikes.

Point No. (4): provide the residential address of the person / partners / directors / trustee as of the record (of my RTI application).

Discussion & Findings:-

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

8. Further, I find that as per the Section 7(1) of the RTI Act, 2005, the CPIO shall provide the required information within 30 days from the receipt of the RTI application. I find that the RTI application dated 23.06.2022 (received in Division office on 24.06.2022) along with Demand Draft No. 817286 of Rs. 10/- as prescribed under Right to Information (Regulation of Fee and Cost) Act, 2005 and the CPIO vide letter F. No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022 submitted the required information within the prescribed time limit under Section 7(1) of the RTI Act, 2005.

9. 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 on dated 15.08.2022, which is within the time limit as the desired information submitted by the CPIO vides RTI reply letter F. No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022. Hence, I accept the appeal as the same is filed within the prescribed time limit under Section 19(1) of the RTI Act, 2005.

10. Further, I find that the issue involve in the RTI is partly pertains to personal information and the CPIO vide reply letter F. No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022 submitted that information in respect of point No. 1,3, & 5 is readily available on <https://WWW.gst.gov.in>. The information can be accessed on the said website and information in respect of point No. 2 & 4 cannot be provided in terms of Section 8(1)(j) of the RTI Act, 2005. The Section 8(1)(j) is as under:-

Section 8 of The Right To Information Act, 2005

8. *Exemption from disclosure of information—*

(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,

(j) information which relates to personal information the disclosure of which has not relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer

or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information: Provided that the information, which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

On the basis of Section 8 (1)(j) of the RTI Act, 2005, the CPIO partly denied to furnish the required information vide their reply letter F. No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022

11. Being aggrieved, the appellant filed an appeal dated 15.08.2022 on the grounds that "As Atul Bikes showroom is closed down and I request to provide the details in respect of point No. 2 & 4 as mentioned in my application". I find that the required information i.e. names and address of the person / partners / directors / trustees of Atul Bikes are personal information and which have not relationship to any public interest. Accordingly, the CPIO denied the required information is correct and the same is covered under the Section 8 (1)(j) of the RTI Act, 2005.

12. Further, I find that the desire information i.e. names and address of the person / partners / directors / trustees of Atul Bikes are personal information and which have not relationship to any public interest and the same cannot be provided to the applicant, as the same covers under the Section 8 (1)(j) of the RTI Act, 2005.

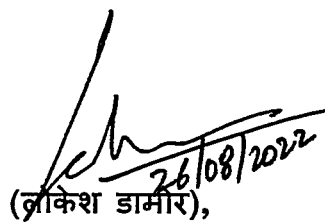
13. In view of the above discussion and findings and pass the following order.

ORDER

The reply submitted by the CPIO vide letter F.No. GST-06/04-1805/RTI/2021-22 dated 22.07.2022 is correct and the required information is covered under Section 8(1)(j) of the RTI Act, 2005.

In view of the above, the appeal dated 15.08.2022 is disposed of.

o/c


26/08/2022

(ज्योतेश डामिर),
प्रथम अपील अधिकारी,
केंद्रीय वस्तु एवं सेवा कर,
अहमदाबाद उत्तर

F.No. - GEXCOM/RTI/FAAA/105/2022-TECH-O/o COMMR-CGST-AHMEDABAD(N)

By RPAD/Speed Post

To,

Shri Shailesh Dashrathlal Patel,
11, Kalindi Bunglows, Nr. J.G. International School,
Gulab Tower Road, Thaltej, Ahmedabad - 380054.

प्राप्त किया
वस्तु एवं सेवा कर, अहमदाबाद उत्तर
दिनांक: 26.08.2022
हस्ताक्षर: R.R. 101
नाम: Received Time

05:05 PM

o/c post-man