



केन्द्रीय कर का आयुक्तालय
गुंटूर आयुक्तालय
सी आर भवन:: कन्नावरी तोटा::
गुंटूर - 522004
Email: commr-cgstguntur@gov.in

Office of the Commissioner of Central Tax
Guntur Comissionerate
C R Buildings :: Kanna Vari Thota ::
Guntur - 522004

F.NO.CVCVZ/R/T/24/00079/2024

Date: E-signed

ORDER 02/2024
UNDER THE RIGHT TO INFORMATION ACT,2005)

Where as Shri. Ismail Shek (here in referred to as the 'Appellant') has filed an Appeal Dated.19.09.2024 under Section 19(1) of the RTI Act,2005 before the First Appellant Authority (FAA), for Brevity), Nellore to his RTI Application dated.19.09.2024.

2. As seen from the original RTI Application dated.03.09.2024, the Appellant has sought the following information.

" One industry need through online, paper paler machine purchasing cost 2.5 lakhs. But company not forwarded material and machine and without boll. I after calling not answering. My need, company data available company even time working and Pan India Every Day 2 to 1 Machines for working. This company forwarding all customers faked. Like per annual turn over 10cr. This company GST term condition turning one there, registration place. This tyof company that and fake business process on GSTCOUNCIL. How take action and which type punishment taken and Iam Nellore from Andhra Pradesh Mu near GST Office compliant. How to complaint raised. Which department action taken 1 Appliate staying my contact details"

3. The CPIO, Guntur CGST Hqrs Office, Guntur vide letter F.NO.GEXCOM/RTI/RTPS/117/2024 vig dated.13.09.2024 has submitted the reply as under;

" As per section 2(f) of the RTI Act, 2005(/) 'information" means any material in any form, including records, documents, memos, e-rnails, opinions, advices, press releases, circulars, orders, logbooks. contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force. Hence your RTI application was not come under the section 2(f) of the RTI Act,2005 and the same can not be provided "

3. The Appellant upon receipt of the above reply from the CPIO, Guntur dated.13.09.2024 , has filed an appeal vide letter dated.19.09.2024 in Appeal CECVZ/A/E/24/00009 before me requesting for submission of following information.

" iam not satisfied the reply given by the CPIO and which type of criminal action taken and which department needs compliant raised and which type of law acts used but give the cpio data".

Following the Principles of Natural Justice, the Appellant was given an opportunity for personal hearing on 14.10.2024 at 12.00 pm and Second personal hearing on 18.10.2024 at 12.00 pm in the Office of the Commissioner of Central Taxes, Guntur CGST Commissionerate, GST Bhavan, Nagarampalem Guntur to put forth his appeal. However the Appellant has not attended for the personal hearing on the above date and time.

FINDINGS

4. I have gone through the Appellant's RTI Application dated.19.09.2024, the information furnished by CPIO vide in file F.NO.GEXCOM/RTI/RTPS/117/2024 vig dated.13.09.2024, Appeal letter dated.19.09.2024. The appellant neither attended for the personal hearing nor given any clarification.

5. Accordingly the following order is passed.

The information sought by the Appellant vide Appeal CECVZ/A/E/24/0009 dated.19.09.2024 does not fall under the definition of information under Section 2(f) of the RTI Act, 2005. Accordingly, I upheld the information provided vide CPIO, Guntur CGST Hqrs Office, Guntur vide letter F.NO.GEXCOM/RTI/RTPS/117/2024 vig dated.13.09.2024.

7. Any Appeal against this order would lie before the Commissioner of Central Information Commissioner, 2nd floor, C-Wing, August Kranti Bhavan, Bhikali Cama Place, New Delhi-110066 and if aggrieved, the same may be filed within ninety days from the date of receipt of the order communicating the decision of the FAA.

(B. LAKSHMI NARAYANA)
JOINT COMMISSIONER
FIRST APPELATE AUTHORITY

Signed by B . Lakshmi
Narayana
Date: 22-10-2024 16:59:52

To
Shri. Ismail Shek
Komarika Village, Indukurpeta Mandal,
Nellore-524002

Copy to the Assistant Commissioner (CPIO), Hqrs office, Guntur