

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)			
Registration Number (पंजीकरण संख्या) :	CECVZ/R/T/23/00324/1		Date of Receipt (प्राप्ति की तारीख) :
Transferred From (से स्थानांतरित):		Chief Commissioner of Central Excise & Customs (Visakhapatnam Zone) on 18/12/2023 With Reference Number : CECVZ/R/T/23/00324	
Remarks(टिप्पणी) :		Pertains to you.	
Type of Receipt (रसीद का प्रकार) :	Electronically Transferred from Other Public Authority	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	MANOJ BALKRISHNA PATIL	Gender (लिंग) :	Male
Address (पता) :	Bungalow Number 10, East Street Camp, Next to Lashkar Police Quarters, Pune 411001, Pin:411001		
State (राज्य) :	Maharashtra	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-9823541101	Mobile Number (मोबाईल नंबर) :	+91-9823541101
Email-ID (ईमेल-आईडी) :	patilmanojpm12@gmail.com		
Status (स्थिति) (Rural/Urban) :	Urban	Education Status :	
Requester Letter Number(निवेदक पत्र संख्या) :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Citizenship Status (नागरिकता)	Indian
Amount Paid (राशि का भुगतान) :	0 (Received by Central Board of Excise and Customs - Central Excise) (original recipient)	Mode of Payment (भुगतान का प्रकार)	Payment Gateway
Does it concern the life or Liberty of a Person? (क्या यह किसी व्यक्ति के जीवन अथवा	No(Normal)	Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	F.A Cooper(CCO)

स्वतंत्रता से संबंधित है?) :

Information Sought (जानकारी मांगी):

As a Indian citizen I AM ALSO AN INDIRECT TAXPAYER . THE RTI ACT 2005 is a big step towards making the citizens informed about the activities of the Government. In transparent governance it is to ensure that RTI APPLICATIONS are handled effectively which is an integral feature of good governance . AS PER LETTER F. No. 3(4)/201S-Coord.(RTI) Dated the 18 th July, 2016 by ROBERT C. TULLY DIRECTOR & CPIO Office of the Development Commissioner Micro, Small & Medium Enterprises Government of India (Coord. Section) A Wing 7th Floor Nirman Shawan, New Delhi had issued warning about Irrelevant answering to queries under RTI Act and forwarding of reply without approval of Competent Authority. He has informed his subordinate offices that section 5 (I) of the RTI Act which prescribes designating CPIOs and ACPIOs to deal with RTI applications. The implication of this section is that only a designated CPIO could reply to an RTI application and in his absence, this function would be performed by a designated ACPIO. He has further directed to ensure that all RTI applications received in their office are disposed of only by the CPIO and It may also be kept in mind that it is not the responsibility of the First Appellate Authority to reply or to furnish information in response to RTI applications and his duty is only to adjudicate. Therefore please provide me the following information under section 3 0f the RTI Act 2005 in respect of ALL THE ZONAL DGGI OFFICES /ALL NACIN ZTI OFFICES / ZONAL CHIEF COMMISSIONERS OFFICES OF CBIC LOCATED ALL OVER INDIA from 1/4/2023 to 26/11/2023 which is required by me in the larger public interest. If the said information is not available with you my application may be forwarded to the respective CPIO under section6(3)0f RTI Act 2005 providing the information (A) NAME & PLACE OF THE DGGI/OFFICE (B) NAME & PLACE OF THE NACIN ZTI (C) NAME & PLACE OF THE CHIEF COMMISSIONERATE OF CENTAL EXCISE & CGST (D) NAME & PLACE OF THE COMMISSIONERATE OF CENTAL EXCISE & CGST (EXECUTIVE/AUDIT/APPEALS/) WHICHEVER IS APPLICABLE (E) NAME & PLACE OF THE DIVISION OF CENTAL EXCISE & CGST OR NAME & PLACE OF THE CIRCLE UNDER CGST OR NAME & PLACE OF THE DIVISION WHICHEVER IS APPLICABLE (F) NAME AND PLACE OF THE RANGE UNDER DIVN OF CENTRAL EXCISE & CGST OR AUDIT PARTY UNDER CGST AUDIT WHICHEVER IS APPLICABLE (G) PLEASE PROVIDE ME COPY OF ALL RTI REPLIES WHEREIN RTI REPLY WAS GIVEN BY ANOTHER OFFICER OR ACPIO INSTEAD OF DESIGNATED CPIO OF RESPECTIVE OFFICE IN CONTRAVENTION OF SECTION 5 OF RTI ACT 2005 (H) PLEASE PROVIDE ME COPY OF WARNING LETTER ISSUED BY DISCIPLINARY AUTHORITY TO ERRANT OFFICER WHO HAS REPLIED RTI APPLICATION IN CONTRAVENTION OF SECTION 5 OF THE RTI ACT

2005 ALTHOUGH HE IS NEITHER ACPIO NOR CPIO OF RESPECTIVE OFFICE. Please provide me the information for point (G) & (H) from 1/4/2023 to 26/11/2023 separately for offices mentioned at (A), (B), (C), (D) , (E) & (F) on my mail id patilmanoipm12@gmail.com

**Original RTI Text
(मूल आरटीआई
पाठ):**

As a Indian citizen I AM ALSO AN INDIRECT TAXPAYER . THE RTI ACT 2005 is a big step towards making the citizens informed about the activities of the Government. In transparent governance it is to ensure that RTI APPLICATIONS are handled effectively which is an integral feature of good governance . AS PER LETTER F. No. 3(4)/2015-Coord.(RTI) Dated the 18 th July, 2016 by ROBERT C. TULLY DIRECTOR & CPIO Office of the Development Commissioner Micro, Small & Medium Enterprises Government of India (Coord. Section) A Wing 7th Floor Nirman Shawan, New Delhi had issued warning about Irrelevant answering to queries under RTI Act and forwarding of reply without approval of Competent Authority. He has informed his subordinate offices that section 5 (I) of the RTI Act which prescribes designating CPIOs and ACPIOs to deal with RTI applications. The implication of this section is that only a designated CPIO could reply to an RTI application and in his absence, this function would be performed by a designated ACPIO. He has further directed to ensure that all RTI applications received in their office are disposed of only by the CPIO and It may also be kept in mind that it is not the responsibility of the First Appellate Authority to reply or to furnish information in response to RTI applications and his duty is only to adjudicate. Therefore please provide me the following information under section 3 0f the RTI Act 2005 in respect of ALL THE ZONAL DGGI OFFICES /ALL NACIN ZTI OFFICES / ZONAL CHIEF COMMISSIONERS OFFICES OF CBIC LOCATED ALL OVER INDIA from 1/4/2023 to 26/11/2023 which is required by me in the larger public interest. If the said information is not available with you my application may be forwarded to the respective CPIO under section6(3)0f RTI Act 2005 providing the information (A) NAME & PLACE OF THE DGGI/OFFICE (B) NAME & PLACE OF THE NACIN ZTI (C) NAME & PLACE OF THE CHIEF COMMISSIONERATE OF CENTAL EXCISE & CGST (D) NAME & PLACE OF THE COMMISSIONERATE OF CENTAL EXCISE & CGST (EXECUTIVE/AUDIT/APPEALS/) WHICHEVER IS APPLICABLE (E) NAME & PLACE OF THE DIVISION OF CENTAL EXCISE & CGST OR NAME & PLACE OF THE CIRCLE UNDER CGST OR NAME & PLACE OF THE DIVISION WHICHEVER IS APPLICABLE (F) NAME AND PLACE OF THE RANGE UNDER DIVN OF CENTRAL EXCISE & CGST OR AUDIT PARTY UNDER CGST AUDIT WHICHEVER IS APPLICABLE (G) PLEASE PROVIDE ME COPY OF ALL RTI REPLIES WHEREIN RTI REPLY WAS GIVEN BY ANOTHER OFFICER OR ACPIO INSTEAD OF DESIGNATED CPIO OF RESPECTIVE OFFICE IN CONTRAVENTION OF SECTION 5 OF RTI ACT 2005 (H) PLEASE PROVIDE ME COPY OF WARNING LETTER ISSUED BY

DISCIPLINARY AUTHORITY TO ERRANT OFFICER WHO HAS REPLIED RTI APPLICATION IN CONTRAVENTION OF SECTION 5 OF THE RTI ACT 2005 ALTHOUGH HE IS NEITHER ACPIO NOR CPIO OF RESPECTIVE OFFICE. Please provide me the information for point (G) & (H) from 1/4/2023 to 26/11/2023 separately for offices mentioned at (A), (B), (C), (D) , (E) & (F) on my mail id patilmanojpm12@gmail.com

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F. No. 3(4)/2015-Coord.(RTI)
Government of India
Office of the Development Commissioner
Micro, Small & Medium Enterprises
(Coord. Section)

'A' Wing 7th Floor
Nirman Bhawan, New Delhi

Dated the 18th July, 2016

To

Shri B.N. Sudhakara,
Director,
MSME-DI, Ahmedabad

Subject: Irrelevant answering to queries under RTI Act and forwarding of reply without approval of Competent Authority.

Sir,

I am directed to refer to your letter No. DIR/MSMEDI/ABD/1/16-17/178 dated 27.06.2016 on the above subject, wherein you have mentioned a case of your office, where a reply to an RTI application was given by an official other than the designated CPIO. To this extent, you have sought clarifications whether such an eventuality could occur and also without the approval of the CPIO/Director.

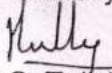
In this connection, your attention is invited to section 5 (1) of the RTI Act which prescribes designating CPIOs and ACPIOs to deal with RTI applications. The implication of this section is that only a designated CPIO could reply to an RTI application and in his absence, this function would be performed by a designated ACPIO.

In your letter, you have mentioned that a note was written by the CPIO to the AD for replying to the RTI application. This is in clear violation of the RTI Act, since the powers/duties of a CPIO cannot be delegated and hence the Act prescribes for designating ACPIOs.

So far as obtaining the approval of a higher authority before replying to an RTI Application, it is to state that the role of an CPIO is quasi-judicial by nature and power has been vested in him through an Act passed by Parliament and hence the CPIO is not required to obtain approval and he becomes responsible for the content of the reply furnished in response to an RTI application. Secondly, the authority above the CPIO is normally designated as the First Appellate Authority, whose job is to adjudicate in a dispute that may arise between an appellant and the CPIO and hence his approval of the reply at the initial stage may create a conflict of interest at the time of a first appeal proffered by an appellant.

In view of the above, you are advised to ensure that all RTI applications received in your office are disposed of only by the CPIO and such cases as the one mentioned by you do not recur. It may also be kept in mind that it is not the responsibility of the First Appellate Authority to reply or to furnish information in response to RTI applications and his duty is only to adjudicate.

Yours faithfully


(Robert C. Tully)
Director & CPIO

Copy to All MSME DIs/TCs/TSS for information.

I/1619688/2023



सीमा शुल्क एवं केन्द्रीय कर के
मुख्य आयुक्त का कार्यालय, विशाखापट्टणम क्षेत्र
प्रथम तल, जीएसटी भवन, पत्तन क्षेत्र,
विशाखापट्टणम - 530035

Office of the Chief Commissioner,
Customs & Central Tax, Visakhapatnam Zone
1st Floor, GST Bhavan, Port Area,
Visakhapatnam - 530035

(P): 0891-2568837 (F) 0891-2561942

ccu-cexvzg@nic.in

सेवा में/To

//ईमेल के जरिये/Through email//

Shri Manoj Balkrishna Patil,
Bungalow Number 10, East Street Camp,
Next to Lashkar Police Quarters,
Pune - 411001.

महोदय/Sir,

Sub: Information sought under RTI Act 2005- Application filed by
Shri Manoj Balkrishna Patil - Regarding

Please refer to your online RTI application which was registered vide
Registration No. CECVZ/R/T/23/00324/1 dated 18.12.2023.

2. In this regard, point wise reply to your queries (pertaining to this office) is
furnished hereunder:

-Point (A) & (B): Not Applicable.

-Point (C): Office of the Chief Commissioner of Customs & Central Tax,
Visakhapatnam Zone, 1st Floor, GST Bhavan, Port Area, Visakhapatnam-
530035.

-Point (D), (E) & (F): Not Applicable.

-Point (G) & (H): Nil.

3. If you are not satisfied with this reply, you may file an appeal before the
Appellate Authority within 30 days of receipt of this letter. The details of the
Appellate Authority are furnished hereunder:

Shri M. Sreekanth, Additional Commissioner,
Office of the Chief Commissioner of Central Tax & Customs,
GST Bhavan, Port Area, Visakhapatnam-530035

Signed by

Fredrick Anthony Cooper

Date: 19-12-2023 18:40:48

(एफ.ए. कूपर /F.A. Cooper)

केन्द्रीय लोक सूचना अधिकारी /CPIO

0891-2560793/2853124