

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

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F.No.GCCO/RTI/FAAA/13/2023-REV-O/o CC-CGST-ZONE-VISAKHAPATNAM

अपील में आदेश संख्या. 02/2023-24/ Order-in-Appeal No. 02/2023-24

(Order passed by Shri M. Sreekanth, First Appellate Authority/
Additional Commissioner of Central Tax & Customs,
CCO, Visakhapatnam Zone, Visakhapatnam)

प्रस्तावना / PREAMBLE

1. यह आदेश आर.टी.आई अधिनियम 2005 की धारा 19 के अन्तर्गत जारी किया गया है।
This Order-in-Appeal is issued under Section 19 of the Right to Information Act, 2005.
2. यदि आप इस आदेश से संतुष्ट न हो तो आप केन्द्रीय सूचना आयोग, सीआईसी भवन, बाबा गंगनाथ मार्ग, मुनिर्का, नई दिल्ली-110067 के सम्मुख आर.टी.आई. अधिनियम, 2005 की धारा 19 की उप-धारा (3) के अन्तर्गत एक अपील दायर कर सकते हैं।
An appeal against the Order can be preferred to the Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi-110067 under Subsection(3) of Section 19 of the Right to Information Act, 2005.
3. इस आदेश की प्राप्ति की तारीख से 90 दिनों के भीतर अपील दायर किया जाना चाहिए।
An Appeal against this order must be filed within 90 days from the date of receipt of this order.
4. कृपया अपील की प्रक्रिया से सम्बन्धित अधिक जानकारी के लिए: <http://cic.gov.in> को देखें।
For further information regarding procedure of appeals, please visit, <http://cic.gov.in>.

विषय/Sub: Right to Information Act, 2005- Appeal filed by Shri K.
Siva Koteswara Rao – Decision under Section 19(1) of the RTI
Act, 2005 – Regarding

Brief Facts of the Appeal:

This appeal filed by Shri K. Siva Koteswara Rao, (herein after referred to as the “Appellant” or “Applicant”), D.No.6-19-915, Arandel Peta, 16th line Guntur-522002, through offline vide letter dated 25.08.2023 has been received in this office on 28.08.2023, against the reply dated 03.08.2023 of the CPIO i.e. Assistant Commissioner of Central Tax & Customs, O/o the Chief Commissioner of Central Tax and Customs, Visakhapatnam Zone, Visakhapatnam, informed to him against his application dated 12.07.2023 under RTI Act,2005.

2. The Appellant alleged in his appeal, inter-alia, that;
- no proper reply is given by the CPIO against his complaints dated 06.04.2023 and 06.06.2023 relating to the House Keeping Contracts of Guntur CGST Commissionerate, Guntur;
 - not provided any documents he asked for, relating to the complaints made;
 - not replied within 30 days from the date of filing the application.

Personal Hearing:

3. The appellant is provided the opportunity to explain his appeal in person and in the personal hearing conducted online mode; at 03.30 PM on 14.09.2023, he stated, inter-alia, that;

- he filed the present appeal dated 25.08.2023 against the CPIO reply dated 03.08.2023;
- earlier, he made a complaint vide his letter dated 06.04.2023 and also by his letter dated 06.06.2023 i.r.o. House Keeping Contract accounts of Guntur CGST Commissionerate;
- but the CPIO has not furnished any information relating to his complaints;
- the complaints are his personal matter and not of the any third party; and requested to look into the matter.

Discussion & Findings:

3. I have carefully gone through the RTI application dated 12.07.2023 and reply of CPIO dated 03.08.2023 and the appeal filed by the applicant vide letter dated 25.08.2023 and the related documents. The issue to be decided in the present appeal is that whether the CPIO furnished proper reply to the applicant or otherwise and also within 30 days as required.

4. The application dated 12.07.2023 was received by CPIO on 13.07.2023 and reply was furnished vide letter CPIO's F.No. GCCO/ RTI/ APP/ 533/ 2023-REV- O/o CC-CGST-ZONE-VISAKHAPATNAM dated 03.08.2023. Therefore, the reply is communicated to him within 30 days from the date of receipt of application as required under Section 7(1) of the RTI Act, 2005.

5. As seen from the application dated 12.07.2023, the applicant sought for action taken on his complaints made to the Chief Commissioner, Visakhapatnam Zone vide letters dated 06.04.2023 & 06.06.2023. The CPIO replied that the said complaints were sent to the Guntur Commissionerate, being jurisdictional office, on 27.04.2023 & 21.06.2023 respectively, for appropriate action by them. Whereas, the appellant narrates in his appeal that no action is taken within 30 days on his complaint; no information is provided in relation to his grievance. In this regard, it is to note that grievance redressal and providing information under RTI are different. In regard to the complaints made, they were already forwarded to the Guntur Commissionerate for appropriate action. Whereas, the RTI provisions are intended for dissemination of information available with the CPIO.

In view of the above, I found that the CPIO replied to the applicant within the time limit of 30 days and provided the status of the action taken on his complaint.

DECISION

The appeal dated 25.08.2023 filed by the appellant is rejected for the above reasons.

M. Sreekanth
18/9/2023

(एम. श्रीकान्त/M. Sreekanth)
First Appellate Authority
अपर आयुक्त/ Additional Commissioner

To,
Shri K. Siva Koteswara Rao, D.No.6-19-915, Arandel Peta, 16th line Guntur-522002 (Through email to: epfesi2018@gmail.com).

Copy Submitted to: The Chief Commissioner of Central Tax & Customs, Visakhapatnam Zone, Visakhapatnam – 530035.

Copy to: 1. The CPIO/Assistant Commissioner of Central Tax & Customs (CCO, VZ)

2. The Superintendent, Media Cell (CCO-VZ) for uploading into Department's Website.