

		<p>दूरभाष/ Telephone:044-28331011 फेक्स/ Fax :044-28331113</p>
<p align="center"><b>OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF GST AND CENTRAL EXCISE TAMILNADU AND PUDUCHERRY ZONE</b> 26/1,महात्मागांधीमार्ग, नुंगम्बाक्कम, चेन्नै-600 034 26/1, Mahatma Gandhi Road, Nungambakkam, Chennai 600 034</p>		

ORDER-IN-APPEAL NO. 16/2022-CCA-RTI(Appeals)

(Order passed by T.G. Venkatesh I.R.S.,  
Additional Commissioner and First Appellate Authority)

1. This Order-in-Appeal is issued under Sub-Section (1) of Section 19 of the Right to Information Act, 2005.
2. An appeal against this order can be preferred to the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi – 110 067, under Sub-Section(3) of Section 19 of the Right to Information Act, 2005.
3. An appeal against this order must be filed within 90 days from the date of receipt of this order.
4. For further information regarding procedure of appeals, please visit <http://cic.gov.in>

Shri Dheeravath Saidulu  
H.NO.311 Ramaswamy Thanda,  
Cheekattimamaidi Post,  
Bommalaramaram Mandal,  
Yadadiri District,  
Telangana - 508116

..... Appellant

Versus

The CPIO, Assistant Commissioner,  
Office of the Principal Chief Commissioner of GST & Central Excise, Chennai Zone,  
26/1, Mahatma Gandhi Road, Nungambakkam,  
Chennai – 600034.

..... Respondent

Sub : Right to Information Act, 2005 – Shri Dheeravath Saidulu – Appeal against the information furnished by the CPIO, Assistant Commissioner, vide C.No. GCCO/RTI/APP/673/2022-CCAESTT dated 25.07.2022 – Passing of Order by First Appellate Authority under RTI Act, 2005 – Reg.

I/876762/2022

Shri Dheeravath Saidulu H.NO.311 Ramaswamy Thanda, Cheekattimamaidi Post, Bommalaramaram Mandal, Yadadiri District, Telangana - 508116 (hereinafter referred to as "the appellant") filed an appeal bearing Registration No. CEXCH/A/E/22/00017 dated 29.07.2022 online under the Right to Information Act, 2005 (hereinafter referred to as "the RTI Act") against the reply given by the Central Public Information Officer, Office of the Principal Chief Commissioner of Central Excise, Chennai Zone, vide GCCO/RTI/APP/673/2022-CCAESTT-O/o Pr CC-CGST-ZONE- dated 25.07.2021.

**2.1** The brief facts of the issue are that the appellant in his RTI application bearing Registration No. CEXCH/R/E/22/00040 dated 01.07.2022 had sought The list of Sports quota candidates selected from different states and their awarded merit certificates.

**2.2** The CPIO vide letter C.No. GCCO/RTI/APP/673/2022-CCAESTT-O/o Pr CC-CGST-ZONE- dated 25.07.2021 furnished reply in respect of the query mentioned in the said RTI application.

**3.** Aggrieved by the reply furnished by CPIO, the appellant filed an appeal dated 29.07.2022 before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 stating the CPIO refused access to Information requested.

### **DISCUSSIONS & FINDINGS**

**4.** I have carefully gone through the RTI application, reply given by CPIO and appeal filed by the applicant.

**5.** The appellant vide RTI application had sought information regarding the list of Sports quota candidates selected from different states and their awarded merit certificates. A website link was provided to view the selection list of persons recruited under Sports Quota and the states to which they selected candidates belong, however CPIO did not disclose the awarded merit certificate under Section 8(1)(j) of the RTI Act, since the sought information was relating to the personal information and the disclosure of which has no relationship to any public activity or interest or which would cause unwarranted invasion of the privacy of the individual.

**6.** From the Appeal filed by the Appellant it is observed that the appellant is asking for fresh information as to the Annexure form 1,2,3,4,5 which are required for the sports quota Appointment while the information originally sought for in the RTI Application is relating to the list of candidates who are selected for recruitment under

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Sports Quota and their awarded merit certificates. The process of appeal cannot be used to raise fresh issues before the appellate authority. I would like to rely on the decision of CIC in the case of Mr S.P.Goyal Vs Central Vigilance Commission ( CIC/SM/A/2011/001454/SG/15759 CIC/SM/A/2011/001454/SG/15759 dated 18.11.2011). The CIC while dismissing the appeal filed by the party has upheld the order of the First appellate Authority. The relevant portion is reproduced below:-

*As regards para 3(x) above, I find that the Appellant in his original RTI Application had not sought a copy of the report of IOB, which is a 'fresh issue' raised at the level of Appeal. The Appellant may 'note' that the process of Appeal cannot be used to raise 'fresh' issues before the appellate Authority and can only be used to Appeal against the CPIO's decision, taken on the basis of issues brought out by the Appellant in the original application, as already pointed out in para (4) above.*

7. In view of the above, I proceed to pass the following order.

**ORDER**

I hold that the information furnished by the CPIO is sufficient and proper and there is no justification in the grievance of the appellant on the same. Hence, I reject the appeal as not maintainable under Right to Information Act, 2005.

(T.G. VENKATESH)  
ADDITIONAL COMMISSIONER  
FIRST APPELLATE AUTHORITY

To  
Shri Dheeravath Saidulu  
H.NO.311 Ramaswamy Thanda,  
Cheekattimamaidi Post,  
Bommalararam Mandal,  
Yadadiri District,  
Telangana - 508116

[By Speed post with A/D]

Copy to:  
The CPIO, Assistant Commissioner,  
Office of the Principal Chief Commissioner of Central Excise, Chennai Zone.