

Appeal - 21 | 2022

	<p>माल और सेवा कर एवं केन्द्रीय उत्पाद शुल्क प्रधान मुख्य आयुक्त कार्यालय OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF GST &amp; CENTRAL EXCISE केन्द्रीय माल और सेवा कर एवं केन्द्रीय उत्पाद शुल्क अंचल : तमिलनाडु एवं पुदुच्चेरी CENTRAL GST &amp; CENTRAL EXCISE ZONE : TAMILNADU &amp; PUDUCHERRY जी एस टी भवन, सं. 26/1, महात्मा गांधी रोड, चेन्नई - 600 034 GST BHAWAN, No. 26/1, MAHATHMA GANDHI ROAD, CHENNAI - 600 034 ई - मेल / E-mail: <a href="mailto:rti.prcco.chennai@gmail.com">rti.prcco.chennai@gmail.com</a> दूरभाष / Ph. No.: 044-28331007 फैक्स / Fax No.: 044-28331015</p>	
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GCCO/RTI/FAAA/59/2022-CCAESTT

Dated : 07/12/2022

**ORDER-IN-APPEAL NO. 19/2022-CCA-RTI(Appeals)**

**(Order passed by R.Gopalsamy 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, CIC Bhawan, Baba Gangnath 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 L.Suresh,  
NO.27, Nehru Nagar,  
Ashok Nagar,  
Karumandapam,  
Trichy-1**

..... 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 L.Suresh – Appeal against the information furnished by the CPIO, PRCCO – Passing of Order by First Appellate Authority under RTI Act, 2005 – Reg.

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Shri L.Suresh, NO.27, Nehru Nagar, Ashok Nagar, Karumandapam, Trichy-1 (hereinafter referred to as "the appellant") filed an appeal dated 05.11.2022 received in this office on 07.11.2022 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/1127/2022-CCAEST**  
O/o PrCCO-CGST Zone-Chennai dated 21.10.2022

**2.1** The brief facts of the issue are that the appellant in his RTI application had sought for various information about an employee which can or cannot be given (in Yes or No form) under RTI like 1. Date of Joining, 2. Designation of Employee at the date of joining, 3. Gross salary at the time of joining, 4. Current Designation of the employee, 5. Current Gross salary of Employee, 6. Number of promotions till date of Employee, 7. Number of Suspensions till date of employee, 8. Number of transfer during his tenure of employee, 9. Number of years working in a particular location, 10. Any departmental cases are pending against employee, 11. Filing of Annual Asset declaration every year, 12. Employee family members involved in full time or part time business activity, 13. Number of Societies Loan Taken and amount, 14. Under which category employee has been appointed at the time of joining.

**2.2** The CPIO vide the letter dated 21.10.2022 had replied that "Section 4(b) (i-xvii) of RTI Act 2005 provides the list of information that can be given by Public Authority. In this regard a copy of the Section 4 had been enclosed alongwith the reply.

**3.** Aggrieved by the reply furnished by CPIO, the appellant filed an appeal dated 05.11.2022 before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 and stated as below "Kindly say the following information of the Employee can be given in RTI for the third person. You can reply for the correspondence by saying "Yes" or "No". I humbly request you that kindly don't attach any circular or order. Kindly reply to my RTI by saying "Yes" or "No"

### **DISCUSSIONS & FINDINGS**

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

**4.1** The applicant has not mentioned any grounds of appeal to show that how he is not satisfied with the reply of CPIO and raised the same query again to the Appellate Authority.

**4.2** The queries raised by the appellant in his Appeal application are that, "kindly do not attach any circular or order but to reply the RTI by saying "Yes" or "No".

In this regard it could be seen from the reply dated 21.10.2022 of the CPIO that the information furnished by the CPIO is correct as Section 4 has enumerated a list of information which the public Authority has the obligation of providing.

**4.3** In this regard, Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training vide No.11/2/2008-IR dated 10.07.2008 has clarified that

*Some people under the Right to Information Act, 2005 request the Public Information*

Officers (PIO) to cull out information from some document(s) and give such extracted information to them. In some cases, the applicants expect the PIO to give information in some particular proforma devised by them on the plea that sub-section (9) of Section 7 provides that information shall ordinarily be provided in the form in which it is sought. It need be noted that the sub-section simply means that if the information is sought in the form of photocopy, it shall be provided in the form of photocopy and if it is sought in the form of a floppy, it shall be provided in that form subject to the conditions given in the Act etc. It does not mean that the CPIO shall re-shape the information.

2. According to section 2(f) of the Act 'information' means 'any material in any form'. A citizen, under the Act, has a right to get 'material' from a public authority which is held by or under the control of that public authority. The right includes inspection of work, documents, records; taking notes, extracts or certified copies of documents or records; taking certified samples of material; taking information in the form of diskettes, floppies, tapes video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device. Careful reading of the definition of 'information' and 'right to information' makes it clear that a citizen has a right to get the material, inspect the material, take notes from the material, take extracts or certified copies of the material, take samples of the material, take the material in the form of diskettes etc. The PIO is required to supply such material to the citizen who seeks it. The Act, however, does not require the Public Information Officer to deduce some conclusion from the 'material' and supply the conclusion' so deduced to the applicant. The PIO is required to supply the 'material' in the form as held by the public authority and is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

4.4 From the above, it is clear tht the RTI Act 2005 does not require the Public Information Officer to deduce some conclusion from the 'material' and supply the conclusion' so deduced to the applicant

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

### ORDER

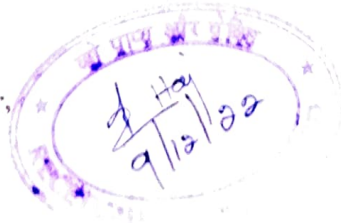
I hold that the information furnished by the CPIO is sufficient and proper. Hence, I reject the appeal as not maintainable under Right to Information Act, 2005.

  
(R.GOPALSAMY) 07/12/2020

**ADDITIONAL COMMISSIONER  
FIRST APPELLATE AUTHORITY**

Copy to:

**Shri L.Suresh,  
NO.27, Nehru Nagar, Ashok Nagar,  
Karumandapam, Trichy-1**



Copy to:

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