



Appeal - 24/2022

	<p>मान और सेवा कर एवं केन्द्रीय उत्पाद शुल्क प्रधान मुख्य आयुक्त कार्यालय OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF GST &amp; CENTRAL EXCISE केन्द्रीय मान 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: rti.prcco.chennai@gmail.com दूरभाष / Ph. No.: 044-28331007 फेक्स / Fax No.: 044-28331015</p>	
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GCCO/RTI/FAAA/64/2022-CCAESTT-O/o Pr CC-CGST-ZONE

Dated : /12/2022

**ORDER-IN-APPEAL NO. 22/2022-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 Udhayakumar.V,**  
1/12 South Street, Andiyendal,  
T.Velankudi Post  
Virudhunagar District 626-612

..... 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 Udhayakumar.V, – Appeal against the information furnished by the CPIO, Assistant Commissioner vide GCCO/II/39/OTH/152/2021-CCAESTT-O/o PrCC-CGST Zone-Chennai – Passing of Order by First Appellate Authority under RTI Act, 2005 – Reg.

1/1055137/2022

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**Shri Udhayakumar.V**, 1/12 South Street, Andiyendal, T.Velankudi Post, Virudhunagar District 626-612 (hereinafter referred to as "the appellant") filed an appeal dated 29.11.2022 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/II/39/OTH/152/2021-CCAESTT O/o PrCCO-CGST Zone-Chennai dated 28.11.2022.

2. The brief facts of the issue are that the appellant in his RTI application dated 25.11.2022 had sought the following information:

1. Certified Copy of the GSTR 3B filed with GSTIN No.33DDWPR1226P2ZS and GSTIN NO.33DDWPR1226P1ZT for the financial years 2019-20 and 2020-21.

2.1. In reply to the RTI CPIO, PRCCO vide reply date 28.11.2022 had informed that, as could be seen in gst.gov.in under Search tax payer with the GSTIN registration, it has been ascertained that registration falls under State Jurisdiction. Hence CPIO had informed the RTI applicant to approach the State Authorities for getting the sought information.

3. Aggrieved by the reply furnished by CPIO, the appellant filed an appeal dated 29.11.2022 before the First Appellate Authority under Section 19(1) of the RTI Act, 2005 and stated that CPIO had not transferred the RTI to State Authorities under Section 6(3) of RTI Act 2005.

### **DISCUSSIONS & FINDINGS**

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

4.1 The query raised by the appellant in his Appeal is that the RTI application could have been transferred to State Authorities under Section 6(3) of the RTI Act 2005, instead of directing the RTI applicant to approach the State Authorities.

4.2 In this regard it is informed that as per OM.No.10/2/2008-IR dated 12.06.2008

"If a person makes an application to a public authority for some information which is the concern of a public authority under any State Government or Union Territory Administration, the CPIO of the public Authority receiving the application should inform the Applicant that

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the information may be had from the concerned State Government/UT Administration. Application in such case need not be transferred to the State or Union Territory Administration”

Hence CPIO, PRCCO vide letter dated 28.11.2022 had rightly advised the applicant to approach the State Government Authorities to get the information.

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 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.

**Signed by R Gopalsamy**  
**Date: 23-12-2022 11:39:12**

**(R.GOPALSAMY)**  
**ADDITIONAL COMMISSIONER**  
**FIRST APPELLATE AUTHORITY**

Copy to:

**Shri Udhayakumar.V,**  
1/12 South Street, Andiyendal,  
T.Velankudi Post  
Virudhunagar District 626-612

Copy to:

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

