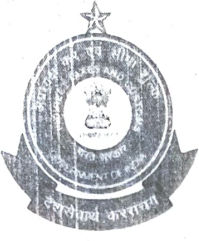



RTI APPEAL DETAILS	
RTI Appeal Registration No. : CCEBH/A/E/25/00003	RTI Appeal Received Date : 26/02/2025
RTI Request Registration No. : CCEBH/R/E/24/00145	RTI Request Registration Date : 31/12/2024
Name : B.Ramakrishnan Iyer	Gender : Male
Address : 26/5A,St 4A,MaitrinagarRisaliBhilai(CG)	
Pin Code : 490006	
State : Chattisgarh	Country : India
Phone : Details not provided	Mobile No : Details not provided
Email : brki@rediffmail.com	
Status : Urban	Educational Status : Above Graduate
Citizenship : Indian	Is Appellant below poverty line ? : No
CPIO of Public Authority Approached : 35353	CPIO's Order/Decision Date : Details not provided
CPIO's Order/Decision No. : Details not provided	
Ground For Appeal : Refused access to Information Requested	
Text of RTI First Appeal :	<p>Reply provided vide I/265470/2025 dt.30/1/25 suffers from the following infirmities while refusing to furnish the requested information.i) My RTI A 73 is actually of 2024 and not 2023 and refers to CBIC letter dt 18/2/21 about my case being similar to Matharoo and on seniority list cited in CCO Bhopal letter dt.15/5/12 to CBIC on impact on seniority if IC Joshi was accepted.(ii) My RTI A 75 is also of 2024 which did request extract from upgradation file to examine whether number of posts of Supdts.commensurate with all qualifying officers had been requisitioned for upgradation.While these informations were not provided now reference to replies to some other RTI As are being made.These applications were in different context as shown here.151 pertained to action of CCA on my OA 715/13.152 on enclosures to reply to 151.155 on MP 4354/2023 filed by CCA in MPHC.156 on MCC 49/23 filed by CCA in MPHC on Macp.167 on treatment of CBIC letter dt.18/2/21 on Matharoo and my objections against wrong fixation of my seniority filed vide my letter dt.11/7/23.173 and 174 were on contradiction in CCA order 1/23 dt.07/11/23 rejecting CAT order in my case.Thus the only RTIA on upgradation file was 75/23 where the information has not been provided.Grounds of Appeal; Extracts from upgradation file is requested to examine as to whether the number of officers who had qualified for upgradation in 1996/97 as intimated by CCA Bhopal now under RTI were covered by requisition of commensurate posts of Supdts.?Names of officers who had dealt with the upgradation files in 1996/97.These informations have not been provided even now and inspection has been afforded which establishes existence of relevant files and also relevant information.Section 7(4) of RTI Act provides that access to records to be allowed only where required and 7(9) provides that information shall ordinarily be provided in the format sought.Therefore,when no inspection is requested and the information sought being available in files not being voluminous,there is no justification for asking for inspection by the seeker of information who is aged and ailing seriously for quite some time.The information may therefore be directed to be furnished by the CPIO.</p>
<div>PrintClose</div>	

	<p style="text-align: center;">कार्यालय मुख्य आयुक्त  <b>OFFICE OF THE CHIEF COMMISSIONER</b>          सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन  <b>C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE</b>          35-C, जी.एस.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.)          35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal          Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	---	---

**GCCO/RTI/75/2024- TECH/0/0 CC- CGST-ZONE-BHOPAL/174**

**25.03.2025**

**अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 11/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फराज अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- i. यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- ii. यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- iii. अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली - 110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- a. This order is granted free of charge for the private use of the person to whom it is issued.
- b. This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- c. In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
 Shri B. Ramakrishnan Iyer,  
 26/5A, St 4A, Maitrinagar,  
 Risali, Bhilai(CG) -- 490006  
 Email ID: [brki@rediffmail.com](mailto:brki@rediffmail.com)

**Order In Appeal No. 11 /2024-25/APPEAL/RTI/CCO/BZ**  
**(Passed in RTI Appeal No. CCEBH/A/E/25/00003 dated 26.02.2025 )**

**Appellant:** Shri B. Ramakrishnan Iyer, 26/5A, St 4A, Maitrinagar, Risali, Bhilai (CG) - 490006

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the case:**

1. The appellant has filed RTI Application No. CCEBH/R/E/24/00145 dated 31.12.2024 wherein the appellant had sought the following information:

- i. *My RTI application 00073 dt 18.06.2024 and 00075 dt 19.06.2024 on the issue of upgradation of Inspectors to the post of Superintendent were replied to vide dated 16.07.2024 stating that the information had already been furnished by the CPIO in response to my previous applications. However specific information/documents as requested vide my impugned applications as cited above not been provided.*
- ii. *Notesheet copies/correspondence in the zonal file dealing with upgradation exercise.*
- iii. *Names of officers who had dealt with the said subject.*
- iv. *Details of zonal seniority list viz its period wherein the change in seniority positions of Inspectors whose seniority was to change on reckoning their Inter Commissionerate seniority as communicated by the zone vide letter dt.15.05.2012 to CBIC in response to their letter dt.21.03.2012.*

2. The appellant was given the following reply by the CPIO to the above RTI Application filed by him vide letter I/2645470/2025 dated 30.01.2025:

- i. *The applicant has been earlier informed through replies to the RTI Applications No. 73/2023 dated 18.6.2023 and 75 dated 19.6.2023 that the information desired in the applications was repetitive in nature and all the available information in the matter had already been provided to in previous applications No.: (i) 151 dated 3.11.2023, (ii) 152 dated 3.11.2023, (iii) 155 dated 5.11.2023, (iv) 156 dated 5.11.2023, (v) 167 dated 24.11.2023, (vi) 173 dated 21.12.2023, (vii) 174 dated 21.12.2023, (viii) 177 dated 22.12.2023, (ix) 179 dated 24.12.2023, (x) 183 dated 31.12.2023 and (xi) 184 dated 31.12.2023.*
- ii. *Further, the Applicant may inspect the relevant files to obtain the desired information by visiting this Office during working days on prior permission/intimation within 15 days of receipt of this letter.*

**Grounds of Appeal:**

3. The appellant being unsatisfied with the above reply has now filed the instant appeal on the following grounds:

*Reply provided vide I/265470/2025 dt.30.01.2025 suffers from the following infirmities while refusing to furnish the requested information. i) My RTI A 73 is actually of 2024 and not 2023 and refers to CBIC letter dt 18.02.2021 about my case being similar to Matharoo and on seniority list cited in CCO Bhopal letter dt.15.05.2012 to CBIC on impact on seniority if IC Joshi was accepted. (ii) My RTI A 75 is also of 2024 which did request extract from upgradation file to examine whether number of posts of Superintendents commensurate with all qualifying officers had been requisitioned for upgradation. While these informations were not provided now reference to replies to some other RTIs are being made. These applications were in different context as shown here. 151 pertained to action of CCA on my OA 715/13, 152 on enclosures to reply to 151, 155 on MP 4354/2023 filed by CCA in MPHIC, 156 on MCC 49/23 filed by CCA in MPHIC on MACP, 167 on treatment of CBIC letter dt.18.02.2021 on Matharoo and my objections against wrong fixation of my seniority filed vide my letter*



dt.11.07.2023, 173 and 174 were on contradiction in CCA order 1/23 dt. 07.11.2023 rejecting CAT order in my case. Thus the only RTI on upgradation file was 75/23 where the information has not been provided. Extracts from upgradation file is requested to examine as to whether the number of officers who had qualified for upgradation in 1996/97 as intimated by CCA Bhopal now under RTI were covered by requisition of commensurate posts of Supdts.?Names of officers who had dealt with the upgradation files in 1996/97. These information have not been provided even now and inspection has been afforded which establishes existence of relevant files and also relevant information. Section 7(4) of RTI Act provides that access to records to be allowed only where required and 7(9) provides that information shall ordinarily be provided in the format sought. Therefore, when no inspection is requested and the information sought being available in files not being voluminous, there is no justification for asking for inspection by the seeker of information who is aged and ailing seriously for quite some time. The information may therefore be directed to be furnished by the CPIO.

**Reply of the CPIO, CCO Bhopal in response to the instant Appeal:**

4. Comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal is as under:

- i. The appellant in his RTI Application dated 31.12.2024 had mentioned about his previous RTI Applications No. 00073 dated 18.06.2023 and 00075 dated 19.06.2023, however in the instant appeal, the appellant has now stated that the RTI Applications No. 73 and 75 were actually of 2024. Hence, the appellant had himself made an incorrect reference his earlier RTI Applications.
- ii. The appellant in the instant appeal has sought the extract of the upgradation file pertaining to year 1996/97 along with names of officers who had dealt with these files. In this regard, it is submitted that all the information available in this Office has already been provided to the appellant in his previous RTI Applications No. (i) 151 dated 3.11.2023, (ii) 152 dated 3.11.2023, (iii) 155 dated 5.11.2023, (iv) 156 dated 5.11.2023, (v) 167 dated 24.11.2023, (vi) 173 dated 21.12.2023, (vii) 174 dated 21.12.2023, (viii) 177 dated 22.12.2023, (ix) 179 dated 24.12.2023, (x) 183 dated 31.12.2023 and (xi) 184 dated 31.12.2023. Further, the records/files sought by the appellant pertain to the year 1996/97 which are almost 30 years old and are presently not available in this Office.
- iii. As the appellant was unsatisfied with the replies provided in his previous RTI Applications hence vide reply dated 30.01.2025, he was given the opportunity to inspect the relevant files so as to be assured that all the available records have already been provided to him.

**Discussion & Findings:**

5. I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the appellant had filed RTI application dated 31.12.2024 to which the CPIO has given the reply vide his letter dated 30.01.2025. However, the appellant was not satisfied with the answer and has therefore, filed the instant appeal. The appellant has now, in the instant appeal mentioned that his previous RTI Applications No. 00073 dated 18.06.2023 and 00075 dated 19.06.2023, referred by him in the RTI Application dated 31.12.2024 linked to the instant appeal were of the year 2024 and not 2023. The Appellant has then requested for extracts from upgradation file to examine as to whether the number of officers who had qualified for upgradation in 1996/97 as intimated by CCA Bhopal now under RTI, were covered by requisition of commensurate posts of Superintendents or not. The appellant has also requested for names of officers who had dealt with the upgradation files in 1996/97. The appellant has also contested that the information sought is available in files and is not voluminous; therefore, there is no justification for asking for inspection by appellant who is aged and ailing seriously for quite some time.



6. In connection with the instant RTI appeal, comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the appellant. The CPIO, CCO Bhopal has submitted his reply/comments on the matter as mentioned above.

7. On going through the grounds of the appeal and the comments given by the CPIO, I find that the appellant had referred to his previous RTI Applications No. 00073 dated 18.06.2023 and 00075 dated 19.06.2023, in the RTI Application dated 31.12.2024 linked to the instant appeal, to which the CPIO has already given the reply vide his letter dated 30.01.2025.

7.1. Now, in the appeal filed by the appellant, he has clarified that the previous RTI Applications No. 00073 dated 18.06.2023 and 00075 dated 19.06.2023, referred by him in the RTI Application dated 31.12.2024 linked to the instant appeal were of the year 2024 and not 2023. Therefore, he has requested for information related to his previous RTI Application No. 73 and 75 filed in the year 2024.

7.2. I find that the CPIO had already given the information based on the RTI application dated 31.12.2024 filed by the appellant in which he has referred to his previous RTI Applications No. 00073 dated 18.06.2023 and 00075 dated 19.06.2023. The appellant, has now, through the instant appeal, tried to change the reference made by him in the RTI application dated 31.12.2024, to get the desired information. However, the appellant cannot modify the content of the original RTI Application or seek some additional information at the stage of appeal. I find that the CPIO has already given the reply based on the text of the original RTI Application dated 31.12.2024.

8. I also find that the appellant had already been given the information in reference to the RTIs referred by him in RTI application dated 31.12.2024 by way of replies to 11 RTI applications filed by the appellant in the year 2023. However, as the appellant was unsatisfied with the replies provided in his previous RTI Applications, hence vide reply dated 30.01.2025, he was given an opportunity by the CPIO to inspect the relevant files so as to be assured that all the available records have already been provided to him.

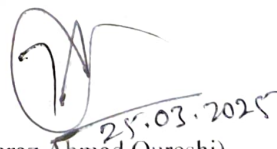
9. In view of the above, I find that there is no infirmity and the information desired vide the RTI Application dated 31.12.2024 has already been provided. No new information can be requested by way of an appeal.

10. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

### Order

I do not find any infirmity in the reply dated 30.01.2025 given by the CPIO to the appellant against his RTI Application dated 31.12.2024.

11. The RTI appeal dated 26.02.2025 filed by appellant is accordingly disposed off in the above terms.



(Faraz Ahmad Qureshi)  
25.03.2025  
First Appellate Authority &  
Additional Commissioner (CCO)

Copy to:

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information please.
2. Guard File

RTI APPEAL DETAILS	
RTI Appeal Registration No. : CCEBH/A/E/25/00004	RTI Appeal Received Date : 27/02/2025
RTI Request Registration No. : CCEBH/R/E/25/00007	RTI Request Registration Date : 12/01/2025
Name : B.Ramakrishnan Iyer	Gender : Male
Address : 26/5A,St 4A,MaitrinagarRisaliBhilai(CG)	
Pin Code : 490006	
State : Chattisgarh	Country : India
Phone : Details not provided	Mobile No : Details not provided
Email : brki@rediffmail.com	
Status : Urban	Educational Status : Above Graduate
Citizenship : Indian	Is Appellant below poverty line ? : No
CPIO of Public Authority Approached : 35353	CPIO's Order/Decision Date : Details not provided
CPIO's Order/Decision No. : Details not provided	
Ground For Appeal : Refused access to Information Requested	
Text of RTI First Appeal :	The CPIO has provided a cryptic concluding reply that on disposal of MP 6859/24 by Honble MPHC,the matter has been referred to Board.The documents viz file notings,correspondence copies for the period subsequent to order dt.07/11/23 of CCU Bhopal divulging further litigation and developments on the issue before and after filing of CP 1/24 as requested have not been made available. Thus documents as requested enabling conclusions arrived at for further litigation/correspondence on the subject at the Zone level and correspondence exchanged have not been provided and only the end result has been intimated.Therefore,the CPIO be directed to furnish the documents as specified above.

	<p style="text-align: center;">कार्यालय मुख्य आयुक्त  <b>OFFICE OF THE CHIEF COMMISSIONER</b>          सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन  <b>C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE</b>          35-C, जी.एस.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.)  <b>35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal</b></p> <p style="text-align: center;">Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	--	---

6CCO/RTI/75/2024-TAM-96-CC-CGST-ZONE-BHOPAL/173

25.03.2025

अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 12/2024-25/APPEAL/RTI/CCO/BZ

(श्री फराज अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- i. यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- ii. यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- iii. अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली -110067 के सामने एक अपील दर्ज कर सकता है। अपील केन्द्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- a. This order is granted free of charge for the private use of the person to whom it is issued.
- b. This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- c. In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
 Shri B. Ramakrishnan Iyer,  
 26/5A, St 4A, Maitrinagar,  
 Risali, Bhilai(CG) – 490006  
 Email ID: [brki@rediffmail.com](mailto:brki@rediffmail.com)



**Order In Appeal No. 12 /2024-25/APPEAL/RTI/CCO/BZ**  
**(Passed in RTI Appeal No. CCEBH/A/E/25/00004 dated 27.02.2025 )**

**Appellant:** Shri B. Ramakrishnan Iyer, 26/5A, St 4A, Maitrinagar, Risali, Bhilai (CG) - 490006

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the case:**

1. The appellant has filed RTI Application No. CCEBH/R/E/25/00007 dated 12.01.2025 wherein the appellant had sought the following information:

*Attention is invited to order No 01/2023 dt 07-11-2023 of CGST Bhopal zone issued vide F No.1/1527208/2023 rejecting order dated 04-5-2023 of Honble CAT Jabalpur allowing my OA 00715/2013. In this connection, copies of file notings and correspondence copies in the relevant file for the period subsequent to aforesaid order divulging further litigation and developments on the issue before and after filing of Contempt Petition No.01/2024 filed by me before the said Honble Tribunal may please be furnished.*

2. The appellant was given the following reply by the Respondent/CPIO vide letter dated 11.02.2025:

*"The Misc Petition No. 6859/ 2024 filed by the Department against the Hon'ble Tribunal's Orders in OA No. 715/2013 has been disposed of by the Hon'ble High Court, Jabalpur vide Order dated 20.12.2024 with directions. The matter has further been referred to Board."*

**Grounds of appeal:**

- 3.1. The appellant felt that the CPIO has not provided the details requested by him vide RTI request dated 12.01.2025.
- 3.2. Being aggrieved, the appellant had filed the instant RTI Appeal dated 27.02.2025 before the First Appellate Authority. The grounds on which the appeal has been filed are as under:

*The CPIO has provided a cryptic concluding reply that on disposal of MP 6859/24 by Hon'ble MPHC, the matter has been referred to Board. The documents viz file notings, correspondence copies for the period subsequent to order dt.07/11/23 of CCU Bhopal divulging further litigation and developments on the issue before and after filing of CP 1/24 as requested have not been made available. Thus, documents as requested enabling conclusions arrived at for further litigation/correspondence on the subject at the Zone level and correspondence exchanged have not been provided and only the end result has been intimated. Therefore, the CPIO be directed to furnish the documents as specified above.*

**Reply of the CPIO, CCO Bhopal in response to the instant Appeal:**

4. Comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal received is as under:

*The Contempt Petition of the appellant is presently pending before the Hon'ble CAT. The Order of the Hon'ble High Court in MP No. 6859/2024 has been forwarded to the Board for consideration. As the matter is pending before the Hon'ble Court, copies of the correspondence exchanged with the Board and the departmental counsel cannot be provided before final decision is taken by the competent authority.*

## Discussion & Findings:

5. I have carefully gone through the grounds of appeal filed by the appellant and the comments submitted by the CPIO on the appeal, as mentioned above. I find that the appellant had filed Original Application (O.A.) No. 715/2013 which was allowed by the Hon'ble Tribunal. Thereafter the department has filed Misc Petition (M.P.) No. 6859/ 2024 which has been disposed of by the Hon'ble High Court, Jabalpur vide order dated 20.12.2024 with directions. Further, the appellant has also filed Contempt Petition (C.P.) No. 01/2024 before the said Hon'ble Tribunal in which the department is the respondent.

6. I further find that the appellant, vide his RTI Application dated 12.01.2025, has requested for copies of file notings and correspondence made in the relevant file for the period subsequent to aforesaid order of the Hon'ble Tribunal, before and after filing of C.P. No. 01/2024.

7. I find that the CPIO, in his reply dated 11.02.2025, informed the appellant that the M.P. No. 6859/2024 filed by the department before the Hon'ble High Court against the order of the Hon'ble Tribunal, has been disposed with directions and that the matter has been referred to the Board.

8. I find that since the CPIO did not provide the copies of the notesheets and correspondences made in the relevant file, the appellant has filed the instant appeal. The appeal was forwarded to the CPIO for comments. The CPIO has submitted that the M.P. No. 6859/ 2024 filed by the department before the Hon'ble High Court against the order of the Hon'ble Tribunal allowing the O.A. filed by the appellant, has been disposed with directions and that the matter has been referred to the Board. Further, the C.P. No. 01/2024 filed by the appellant before the Hon'ble Tribunal is also pending. Therefore, the copies of the correspondence exchanged with the Board and the departmental counsel cannot be provided before final decision is taken by the competent authority.


9. On examining the facts of the case, I find that pursuant to the disposal of M.P. No. 6859/ 2024 filed by the department before the Hon'ble High Court, the matter has been referred to the Board for directions. I also find that the C.P. No.01/2024 filed by the appellant against the department is still pending before the Hon'ble Tribunal. I find that since the department is the respondent in the aforesaid contempt petition, which is still pending, copies of notesheets and correspondences made in the relevant file cannot be shared as the same will contain the details of defense replies being submitted or proposed to be submitted before the Hon'ble Tribunal along with correspondence being made with the departmental counsel. Therefore, I do not find any infirmity in the reply dated 11.02.2025 given by the CPIO to the appellant.

10. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

### Order

I do not find any infirmity in the reply dated 11.02.2025 given by the CPIO to the appellant against his RTI Application dated 12.01.2025.

11. The RTI appeal dated 27.02.2025 filed by appellant is accordingly disposed off in the above terms.

  
(Faraz Ahmad Qureshi)  
First Appellate Authority &  
Additional Commissioner (CCO)

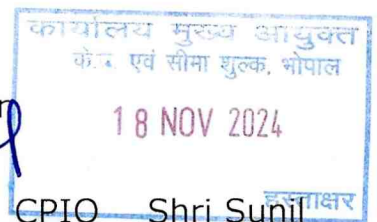
Copy to:

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information please.
2. Guard File



To

First Appellate Authority RTI cum Joint Commissioner  
O/O Commissioner of Central excise GST, Bhopal



Subject :- Appeal in the decision/Reply given by Shri CPIO Shri Sunil Kumar CPIO cum Assistant Commissioner Bhopal  
. Under RTI ACT Section 19 of RTI ACT2005

Ref:- CPIO letter Number GCCO/RTI/App/1593/2024-ccAEstt. Dated 29.10.24

Sir,

Reply date Shri Sunil Kumar CPIO cum Assistant commissioner Bhopal

Respectfully I submit under RTI Act against the reply of Shri Suni Kumar Kaushal Assistant Commissioner /CPIO.

The CPIO Shri Sjunil Kumar has denied my right under ERTI ACT 2005 has denied the information in all saying that " The information sought is voluminous nature and is available in multiple files and is not maintained in any such format. The reply of the CPIO is not partwise . This is the single reply. Which information sought is voluminous. Voluminous term is vague, any information be said voluminous by the CPIO to avoid. This has been done without seeing the information.

Para number i this is regarding criteria and eligibility, The Offices which isa conducting the DPC in every year twice or thrice such rulings are always handy as these are shown to the chairman and members of DPC so many times. The CPIO has put a excuse fore not supplying the information.

Para number ii This is not a voluminous

Para number iii Copy of reservation roaster is a very small information. Not more then one page for each cadre. The CPIO as treated it voluminous. It is very strange . Sir You yourself can see this information; how big it is.

Iv Name of liaison officer one or two words, This has alos been treated as voluminous. This is very strange.

V Copy of inspections is also very small information. The CPIO has not seen the information, otherwise he could have supplied it.

vi Number of employees granted MACP It is also not voluminous.

The CPIO has sent reply to me without seeing the information. I think the reply is of the CPIO and not of the concerned branch, Such information's are never Available with the CPIO these remain with the concerned establishment branch.

The CPIO kept my request pending for 15 days and denied the information

You are requested to all to supply me the sought information. Reply of CPIO is enclosed pl. rti request is also enclosed pl.

DA/2

Thanking You,

Yours faithfully

Tarlochan Singh  
(Tarlochan Singh)  
VPO Jandpur  
Kharar 140301  
( Mohali)  
11.11.2024



Ph.0755-2765208, 2765903; Email: [ccu-cexbpl@nic.in](mailto:ccu-cexbpl@nic.in); [ccobhopal@gmail.com](mailto:ccobhopal@gmail.com)

Bhopal, Date: 30-10-2024

Sir,

Please refer to your RTI Application dated 11.10.2024 received physically in this Office on 15.10.2024.

"The information sought is voluminous in nature and is available in multiple files and is not maintained in any of such format in this Office. However, if the applicant wishes to seek any specific information then he may inspect the relevant documents on prior intimation with permission, by visiting this office during office hours on any of the working days, within fifteen days of receipt of this letter".

3. If you are aggrieved with the above, you may file an appeal before the Appellate Authority, Chief Commissioner's Office, Customs, Central Excise & CGST (Bhopal Zone), 35-C, Administrative Area, Arera Hills, Bhopal within 30 days of receipt of this letter.

Signed by e-sd-

**SUNIL KUMAR KANSHAL**, Assistant Commissioner(5KK)-CCO-  
Bhopal, DC/AC-1, Bhopal, Central Board of Excise and Customs-CGST-Zone-Bhopal  
**ASSISTANT COMMISSIONER (CCO/CPID)**

ANT COMMIS SIONER (666)  
Date: 30-10-2024 13:54:29



' Shri Sunil kumar Kaushal  
 Assistant Commissioner ,  
 The C.P.I.O O/o Chief Commissioner CGST & Customs  
 35 C, Administrative Area Arera Hills Bhopal 462011  
 Subject:-Regarding supply of information under RTI ACT 2005

Sir,

Please arrange to supply me following information under RTI ACT 2005.

- i please supply criteria/ eligibility for in situ promotions in r/o Tax Assistant, inspector , Superintendent , Assistant Commissioner eligibility, minimum length of service, minimum age ,qualification, education , Rules applicable for in situ promotion shown /put up to the DPC/ Screening committee for promotion for preparing minutes
- ii Number of posts filled cadre wise as under or format as u wish and feel easy or the form in which the information is available with you/ office , sir

Cadre	Number of posts filled during the year 2020,2021,2022,2023 and 2024 cadre wise In situ promotion						Shortfall in reserved category year wise		
	General	Scheduled Caste	Schedule Tribe	OBC	EWS	Physically handicap	SC	ST	EWS
Superintendent									
Inspector									
Tax Assistant									
Assistant Commissioner									

iii copy of Reservation Roaster for promotion to Superintendent, Inspectors, Tax Assistant and Assistant commissioner. Cadre year 2020 to 2024

iv Name of Liaison officer for welfare of reserved categories SC, S/T and PHD persons

v copy of inspections done by the liaison officers of roasters for above reserved categories of above cadres superintendent , Inspector, Assistant commissioner and Tax Assistant. From 2021 to 2024

vi Number of officials granted MACP cadres 2021 to 2024 all cadres as above para v

vii copies of minutes of in situ promotion for the above cadre's year wise cadre wise for all cadres mentioned in para v above . prepared by DPC

Postal order for Rs10/- bearing number 66F 931398 dated 3.10.24 DA/2

Thanking You, It is also requested that the CPIO may supply information in 2 parts or as u wish. The cost of photo copies be intimated in first part. Name of officer to whom payment is to be drawn

Yours Faithfully

(TALOCHAN SINGH)

Village Jandpur

Post Office Jandpur

Kharar 140301

(Mohali)



**अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 10/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली - 110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
Shri Talochan Singh,  
Vpo Jandpur,  
Kharar, Mohali,  
Punjab-140301

**Order In Appeal No. 10 /2024-25/APPEAL/RTI/CCO/BZ**  
**(Passed in RTI Appeal dated 19.11.2024 filed offline by Shri Talochan Singh)**

**Appellant:** Shri Talochan Singh, Vpo Jandpur, Kharar, Mohali, Punjab-140301

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**



The appellant had filed offline RTI application dated 11.10.2024 received on 15.10.2024, with the CPIO, CCO Bhopal, under the provisions of the Right to Information Act, 2005. The details of information sought vide the aforesaid RTI Application are as under:

- a. *Criteria/eligibility for in situ promotions in respect of Tax Assistants, Inspector, Superintendent, Assistant Commissioner and rules applicable for in situ promotions shown/put up to DPC/ Screening Committee for promotion for preparing minutes*
- b. *Number of post filled cadre wise as under or format as you wish and feel easy or the form in which the information is available*

Cadre	No of post filled during the year 2020,2021,2022,2023 and 2024 cadre wise in situ promotion						Shortfall in reserved category year wise		
	GEN	SC	ST	OBC	EWS	PH	SC	ST	EWS
Superintendent									
Inspector									
Tax Assistant									
Assistant Commissioner									

- c. *Copy of reservation roster for promotion to Superintendent, Inspectors, Tax Assistants, Assistant Commissioner. Cadre year 2020 to 2024.*
- d. *Name of Liaison Officer for welfare of reserved categories SC, ST and PHD persons*
- e. *Copy of inspections done by Liaison Officer of rosters for above reserved categories of above cadres of Superintendent, Inspector, Assistant Commissioner and Tax Assistants from 2021 to 2024.*
- f. *Number of Officials granted MACP from 2021 to 2024 in all cadres above*
- g. *Copies of minutes of in situ promotion for the above cadres 2021 to 2024 year wise cadre wise for all cadres mentioned above.*

2. The appellant was given the following reply by the Respondent/CPIO vide letter dated 30.10.2024:

*"The information sought is voluminous in nature and is available in multiple files and is not maintained in any of such format in this Office. However, if the applicant wishes to seek any specific information then he may inspect the relevant documents on prior intimation with permission, by visiting this office during office hours on any of the working days, within fifteen days of receipt of this letter"*

### **Grounds of appeal:**

3.1. The appellant felt that the CPIO has denied the details requested by him vide RTI request dated 15.10.2024.

3.2 Being aggrieved, the appellant had filed the instant RTI Appeal dated 11.11.2024 received in this office on 19.11.2024 before the First Appellate Authority on the grounds that voluminous term used by the CPIO is vague. The text of the RTI Appeal filed by the appellant reads as under:

*The CPIO Shri Sunil Kumar has denied my right under RTI ACT 2005 denying the information in all saying that " The information sought is voluminous nature and is available in multiple files and is not maintained in any such format. The reply of the CPIO is not partwise. This is the single reply. Which information sought is voluminous. Voluminous term is vague, any information be said voluminous by the CPIO to avoid. This has been done without seeing*

*the information.*

*Para number i this is regarding criteria and eligibility, The Offices which is a conducting the DPC in every year twice or thrice such rulings are always handy as these are shown to the chairman and members of DPC so many times. The CPIO has put a excuse for not supplying the information.*

*Para number ii This is not a voluminous*

*Para number iii Copy of reservation roaster is a very small information. Not more than one page for each cadre. The CPIO has treated it voluminous. It is very strange. Sir You yourself can see this information; how big it is.*

*Para number iv Name of liaison officer one or two words, This has also been treated as voluminous. This is very strange.*

*Para number v Copy of inspections is also very small information. The CPIO has not seen the information, otherwise he could have supplied it.*

*Para number vi Number of employees granted MACP it is also not voluminous.*

#### **Reply of the CPIO, CCO Bhopal in response to the instant Appeal**

**4.** Comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal received is as under:

*In this regard, it is submitted that the applicant vide RTI Application dated 11.10.2024 had sought various cadre-wise information with respect to the eligibility, rules, minutes for in situ promotions and MACP Orders. On the basis of the comments provided by the Administrative Officer the applicant was informed vide this Office letter dated 30.10.2024 that as the desired information is voluminous in nature and is available in multiple files and is not maintained in any of such format in this Office, hence the applicant may inspect the relevant documents by visiting this office during office hours However, the applicant being unsatisfied with the above reply filed the instant appeal. In this regard, it is submitted that*

*i. The various pieces of information viz eligibility for in-situ promotion, no. of posts filled during the year 2020, 2021, 2022, 2023 & 2024 (Superintendent, Inspector, TA, Assistant Commissioner), copy of reservation rosters (Superintendent, Inspector, TA, Assistant Commissioner), number of officials granted MACP from 2021 to 2024 etc. were sought by the applicant in his RTI application which is voluminous in nature and available in multiple files.*

*ii. Further, it is submitted that the DPC in the grade of Assistant Commissioner is not conducted by this Office. Therefore, the relevant information was not provided to the applicant.*

*iii. The information with respect to point (ii) of the said RTI Application is not maintained in the desired format. In this regard, RTI Act 2005 stipulates that the*

*information which is available as any material in any form, including records, documents, emails etc. Further, the department is not liable to create any information.*

*iv. Further, the copies of minutes of meeting of in-situ promotion (for year 2021 to 2024) and copies of reservation roster (for year 2020 to 2024) in grades such as Inspector and Superintendent are voluminous in nature and is available in scattered/mixed with multiple files/correspondences and is not maintained in any of such format in this Office, hence the applicant may be given the opportunity to inspect hence. Thus, under Section 2(j)(i) of the RTI Act, the applicant is suggested to visit the office during office hours with prior intimation and may inspect relevant filed/records in person to identify the most relevant documents for copying.*

### **Discussion & Findings:**

5. I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the appellant had filed RTI application dated 15.10.2024 to which the CPIO has given the reply vide his letter dated 30.10.2024. However, the appellant was not satisfied with the reply and has therefore, filed the instant appeal. The Appellant has contested that the CPIO has denied him the information without actually examining what has been asked for. The Appellant has also stated that the word voluminous used by the CPIO is vague.

6. In connection with the instant RTI appeal, comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the appellant. The CPIO, CCO Bhopal has submitted his reply/comments on the matter as mentioned above.

7. I find that vide RTI reply dated 30.10.2024, the CPIO had informed the appellant that the information sought by him is voluminous in nature and available in multiple files. Therefore, the CPIO has suggested the appellant to visit the office and inspect the relevant files to get the desired information.

7.1. On going through the RTI Application dated 15.10.2024, I find that the appellant has sought for data related to promotions and financial upgradation in 04 different cadres during a long period of 05 years i.e. from 2020 to 2024. Further, the appellant has also requested for copies of reservation rosters, liaison officers, notes of inspection done by the liaison officers and minutes of DPCs for all these cadres for years from 2020 to 2024. I find that since the data is for 04 different cadres and for a period of 05 years, it must be scattered in different files and be voluminous in nature as stated by the CPIO.

7.2. I also find that as per Section 7(9) of the RTI Act, an information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority. Since the information sought is spread across multiple files of different years which would require diversion of human resource and time for compilation and creation, therefore, the CPIO extended the opportunity to the appellant to visit the office and seek desired information after inspection of the related files and documents.

8. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

### **Order**

In view of the above, I don't find any infirmity in the reply dated 30.10.2024 given by the CPIO to the appellant against his RTI Application dated 15.10.2024. Further, I hold that under Section 2(j)(i) of the RTI Act, the appellant can visit the office during office hours on any working day with prior intimation and may inspect relevant files/records in person to identify the most relevant documents for



copying.

The CPIO is directed to facilitate the inspection of relevant files/records by the appellant.

9. The RTI appeal dated 19.11.2024 filed by appellant is accordingly disposed off in the above terms.

Signed by  
Faraz Ahmad Qureshi  
Date: 27-11-2024 12:43:03  
(Faraz Ahmad Qureshi)  
First Appellate Authority &  
Additional Commissioner (CCO)

Copy to:

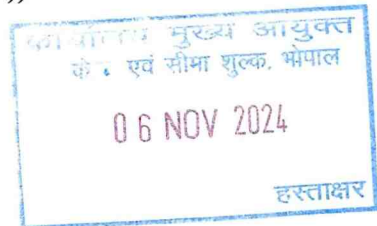
1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information please.
2. Guard File

## The Right to Information Act, 2005

First Appeal before  
(The First Appellate Authority (RTI))

THROUGH

**The First Appellate Authority (RTI),  
Office of the Chief Commissioner,  
Customs, Central Excise & Central GST,  
35-C, Mother Teresa Marg, Administrative Area,  
Arera Hills, Bhopal – 462011**



Appeal No. ----- Dated -----

[For office use only]

As I am aggrieved by decision of Central Public Information Officer and, I hereby file this appeal for your kind decision.

### 1. Details of appellant:

1.1 Full Name: **Smt. Arpana Raikwar wife of Shri Satish Kumar Raikwar**

1.2. Full Address: C/o SHRI SATISH KUMAR RAIKWAR, H.NO. - 585 'A', KAMLA NEHRU NAGAR, BESIDE CHOUBEY DAIRY, GARHA ROAD, JABALPUR (M.P.), PINCODE – 482002.

1.3 Phone/Cell No.: 09926687607

1.4 Email ID: arpanaraikwar04@gmail.com

### 2. Details of Central Public Information Officer (CPIO):

2.1 Name/Designation: Shri Sunil Kumar Kaushal, Assistant Commissioner (CCO/CPIO)

2.2 Full Address: Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal – 462011

2.3 Name of Public Authority: - Assistant Commissioner (CCO/CPIO)

### 3. Details of First Appellate Authority [FAA]:

3.1 Name/Designation of the FAA: The First Appellate Authority (RTI)

3.2 Full Address of FAA: Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal – 462011

### 4. Dates of RTI application/first appeal:

4.1 To CPIO: 12.09.2024 & mailed on: 12.09.2024

4.2 To FAA: 04.11.2024 & mailed on: 04.11.2024

*Arpana*  
*04/11/2024*

1

**5. Particulars of Decisions:**

5.1 Reference No & Date of CPIO's Decision: I/2333837/2024/1287 dated 08.10.2024

5.2 Reference No & Date of FAA's Decision: -

5.3 Date/s of personal hearing by FAA: NA.

**6. Dates of receipt of replies by appellant from:**

6.1 CPIO: 15.10.2024.

6.2 FAA: NA.

**7. Details of information sought:**

1. Certified copies of establishment orders issued for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).

2. Certified copies of policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).

3. Whether policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 have been duly proposed & considered by the JCM, if yes, please provide minutes of the concern JCM.

4. Whether any committee of the Departmental Officers have been formed/constituted for transfer of Superintendents for the Annual General Transfer 2024, if yes provide details of the committee along with certified copies of the minutes of the committee, their recommendations and comments.

5. If, any committee of the Departmental Officers have not been formed/constituted for transfer of Superintendents for the AGT'2024, reasons thereof.

6. How many Superintendents of Department have not been considered for transfer in the AGT'2024 to other Commissionerate/ other Zone even after completed 08 years at one station/same Commissionerate, Name wise details along with reasons for non-considering their names in the AGT'2024 for transfer to inter Commissionerate/Other Zone.

7. Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT'2024 to their requested Commissionerate.

8. Details & certified copies of authority, empowered to the Chief Commissioner, Customs, Central Excise & Central GST Zone Bhopal to transfer Superintendents to other Zone, without valid application & option filed by the concern Superintendent.

9. Expected expenses of Government revenue due to transfer of Superintendents in the Annual General Transfer 2024.

**8. Brief facts of the case:** The applicant has requested to the CPIO to furnish the information as desired at Sr. No.- (1) to (9) of column 7 of this appeal vide application dated 12.09.2024 under RTI Act'2005 for seeking information in public interest, but vide No.- I/2333837/2024/1287 dated 08.10.2024 received on 15.10.2024 the Hon'ble CPIO informed that -

Point No.- 1&2- Copy enclosed.

Point No.- 3- No such documents are available in this regard.

Point No.- 4- information provided.

Point No.- 5- The Department will not provide information.

*Arpana*  
04/11/2024

2



Point No.- 6-The information has not been maintained in the format as desired, hence not supplied.

Point No.- 7- The third- party information may not be provided.

Point No.- 8- Details of the Authority provided, but certified copies of authority has not provided.

Point No.- 9- No such data is maintained.

Therefore, it is clear that either the CPIO is unable to furnish the requested information or supplied incomplete information as requested by the applicant under RTI Act, 2005, hence this appeal arise.

#### **9. Reasons/grounds for this appeal:**

(A) As per the Rule 2(f) of the Right to Information Act, 2005 – “Information means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.”

(B) Point No.- 1&2- Hon’ble CPIO has informed that copy enclosed but the same has neither been enclosed nor supplied to the applicant, the same can be verified from the face of the reply dated 08.10.2024 of the CPIO where “Enclosed -As above remains blank /without remark”, therefore certified copy of the same requested.

(C) Point No.- 6- It is very clear that without having reasonable data no transfer posting can be conducted, therefore the same can be provided to the applicant as available in any format or any mode because the same are clearly comes under the “Information” as define under Rule 2(f) of the Right to Information Act, 2005.

(D) Point No.- 7- Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT’2024 to their requested Commissionerate clearly not covered under the third-party data, the same is part and parcel of the Department proceeding, therefore the same cannot be denied in the name of third-party data, hence requested to supply the same.

(E) Point No.- 8- Details of the Authority provided, but certified copies of the same has not provided therefore requested to provide the same.

(F) Point No.- 9- The reply received from the CPIO is very surprising that, the Department of Revenue is not maintaining the data of expected expenses of Government revenue due to transfer of Superintendents in AGT. It is the common practice of all Government office that without any estimation and provision of money no work of Government activities finalized, therefore such data of the activities are available with the CPIO / or their subordinate offices and such information also clearly comes under the “Information” as define under Rule 2(f) of the Right to Information Act, 2005, therefore requested to provide the same.

From the above it is clear that the information sought by the applicant comes under the purview of the RTI Act, 2005 and the same are available with the CPIO therefore the same can be provided to the applicant, therefore Hon’ble Appellate Authority is humbly requested to provide the said information and oblige me.

**10. Any other information in support of appeal:** Further data /details available in relation to the information the same kindly be provided in support of the appeal.

*Arpan*  
04/11/2024<sup>3</sup>

**11. Prayer/relief sought for:** Hon'ble Appellate Authority is humbly prayed to provide the said information and oblige me please.

**12. Grounds for prayer/relief sought for:** The information sought by the applicant comes under the purview of the RTI Act, 2005 in view of the plea as mentioned at column No.- 9 of this appeal and the same are related with the Office of the Chief Commissioner, Customs, Central Excise & Central GST, Bhopal Zone - Bhopal, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal – 462011 and available with the CPIO and the same can be provided to the applicant, therefore Hon'ble Appellate Authority is humbly prayed to provide the said information and oblige me please.

**13. Personal Presence at hearing: YES / NO:** No personal hearing is required by the applicant, kindly decide my appeal on merits/ on the basis of the documents placed before the appellate authority.

**14. Declaration:**

I hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with this Appellate Authority nor is pending with any Court or tribunal or authority.

Place: Jabalpur

Date: 04.11.2024

Signature of appellant:   
(SMT ARPANA RAIKWAR)

**INDEX OF APPEAL**

of SMT ARPANA RAIKWAR dated 04.11.2024

1. Particulars Page Sr. No. from 01 to 05
2. Original first appeal (in duplicate)
3. Chronology chart of RTI application
4. Copy of RTI application dated 12.09.2024 with its enclosures.
5. Copy of proof of mailing RTI application: Send through Speed post copy of the same enclosed
6. DD/IPO/PS/Cash receipt for filing fees and other charges: enclosed
7. Copy of first appeal dated NA with its enclosures
8. Copy of proof of mailing first appeal: NA
9. Postal A.D. card/Acknowledgement letter, received from CPIO & FAA- available with CPIO/FAA
10. Copy of decision of CPIO/FAA dated: 08.10.2024 Enclosed
11. Copy of decision of FAA dated NA.
12. Proof of mailing complaint/second appeal to CPIO and FAA; NA
13. Other documents in support of second appeal; enclosed.

Place: Jabalpur (M.P.)

Date: 04.11.2024

Signature of appellant:   
(SMT ARPANA RAIKWAR)

## CHRONOLOGICAL CHART OF RTI APPLICATION

of SMT ARPANA RAIKWAR dated 12.09.2024.

1. Action Date: information available with the CPIO
2. Application mailed to CPIO on: Send through Speed post on 12.09.2024 copy of the same enclosed
3. Application received by ACPIO/CPIO on: information available with the CPIO
4. Date of receipt of letter for paying charges: information available with the CPIO
5. Date of remitting charges to CPIO: information available with the CPIO
6. Date of decision of CPIO: 08.10.2024 (copy enclosed).
7. Date of receipt of decision of FAA by appellant/complainant: NA.
8. First appeal mailed to FAA on: NA
9. Date of receipt of appeal by FAA: NA.
10. Date/s of personal hearing by FAA: NA.
11. Date of decision of FAA: NA.
12. Date of receipt of decision of FAA by appellant/complainant: NA.
13. Date of Second Appeal/complaint:
14. Date of mailing copy of second appeal/ complaint to CPIO & FAA:
15. Date of mailing Second Appeal to CPIO:

Place: Jabalpur (M.P.)

Date: 04.11.2024

*Arpana*  
*04/11/2024*  
Signature of appellant  
((SMT ARPANA RAIKWAR))



RTI Application Form

Application No.-  
Date: 12.09.2024

To,  
The CPIO,  
Office of the Chief Commissioner,  
Customs, Central Excise & Central GST,  
35-C, Mother Teresa Marg, Administrative Area,  
Arera Hills, Bhopal - 462011

Sub:-Request for information under RTI Act, 2005

Respected Sir,

I Smt. Arpana Raikwar wife of Shri Satish Kumar Raikwar resident of 585-A, Kamla Nehru Nagar, Beside Choubey Dairy Garha Road, Jabalpur M.P. 482002 Telephone No. (with STD Code) / Mobile No. - (09926687607) wish to seek information, under the RTI Act, 2005 from Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal - 462011, I, hereby, declare that I am a Citizen of India and information sought in this application will be used in the best of the Public Interest. I further assure you that, I shall not allow/ cause to use / Pass / share / display / or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the Unity / Sovereignty or against the Interest of India.

1. The information needed is in the form of Documents (TICK)/ Clarification.
2. The Information sought pertains to your office.
3. The Required Information is for the period - for the related period
4. The information sought is related to Myself (TICK)/ Third Party
5. The particular / details of Information / Documents asked for is given below: -

1. Certified copies of establishment orders issued for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).
2. Certified copies of policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).
3. Whether policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 have been duly proposed & considered by the JCM, if yes, please provide minutes of the concern JCM.
4. Whether any committee of the Departmental Officers have been formed/ constituted for transfer of Superintendents for the Annual General Transfer 2024, if yes provide details of the committee along with certified copies of the minutes of the committee, their recommendations and comments.
5. If, any committee of the Departmental Officers have not been formed/ constituted for transfer of Superintendents for the AGT'2024, reasons thereof.
6. How many Superintendents of Department have not been considered for transfer in the AGT'2024 to other Commissionerate/ other Zone even after completed 08 years at one station/same Commissionerate, Name wise details along with reasons for non-considering their names in the AGT'2024 for transfer to inter Commissionerate/Other Zone.

Arpana  
12/09/2024

Arpana  
04/11/2024

-----02-----

Contd. --- 02 ---

7. Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT'2024 to their requested Commissionerate.
  8. Details & certified copies of authority, empowered to the Chief Commissioner, Customs, Central Excise & Central GST Zone Bhopal to transfer Superintendents to other Zone, without valid application & option filed by the concern Superintendent.
  9. Expected expenses of Government revenue due to transfer of Superintendents in the Annual General Transfer 2024.
6. I have deposited the required RTI Fee amount of Rs. 20/- (Rupees Twenty Only) towards application fee through Indian Postal Order bearing No.- 20G 114912 favoring "The Administrative Officer" 'Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal - 462011' Payable at BHOPAL. Further, I also undertake to pay any additional fees/charges (if applicable) as prescribed under the RTI Act.

Kindly provide the information as soon as possible & within time frame as stipulated under RTI Act, 2005.

Enclosed – As above - Indian Postal Order Rs.-20/-

Place:- Jabalpur (M.P.)

Date :- 12.09.2024

उपपत्र COUNTERFOIL

इसे काटकर प्रेषक अपने पास रख ले।  
To be detached and kept  
by the Sender.

पोस्टल आर्डर

रुपए 20.00 Rs.

POSTAL ORDER

किसी को भुगतान  
To whom payable The

A.O. CGST BHOPAL

किस दफ्तर में  
At what Office BHOPAL

क्या इसे क्रॉस किया है  
Whether crossed Yes

भेजने की तारीख  
Date sent 12/09/2024

20G 114912

Arpana  
12/09/2024

(SMT ARPANA RAIKWAR)

(Name and Signature of the Applicant)

Address: 585-A, Kamla Nehru Nagar,  
Beside Choubey Dairy, Garha Road,  
JABALPUR, (M.P.) – 482002



Dial 18002666868 (Wear Masks, Stay Safe)

E1039039135IN IVR:6973039039135

SP WRIGHT TOWN S.O (482002)

Counter No:4,12/09/2024,11:24

To:THE CPIO,CUSTOMS

PIN:462011, Shiksha Mandal S.O

From:ARPANA RAIKWAR

Wt:40gms

Ant:41.30,Tax:6.30,Amt.Paid:41.00

(Track on www.indiapost.gov.in)

Dial 18002666868 (Wear Masks, Stay Safe)





कार्यालय मुख्य आयुक्त  
OFFICE OF THE CHIEF COMMISSIONER  
श्री.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जिला  
C.G.S.T., CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE  
35-C, श्री.एस.टी. जिला, प्रशासनिक क्षेत्र, अररा हिल्स, भोपाल  
35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal (M.P.)-462 011  
PH:0755 2765108, 2765903 Fax:0755 2765108  
ccobhopal@gmail.com

17233383/2024

Bhopal, Date: 08/10/2024

1287,

To

Smt Arpana Raikwar W/o Satish Kumar Raikwar  
585-A, Kamla Nehru Nagar, Beside Choubey Dairy  
Garha Road, Jabalpur, M.P.-482002

Madam,

**Sub: RTI Application dated 12.09.2024 filed under RTI Act, 2005 -reg.**

\*\*\*\*\*

Please refer to your RTI Application dated 12.09.2024 received in this Office on 17.09.2024 through speed post.

2. In this regard, the point wise reply to the above RTI Application is as follows:

Point No 1: Copy is enclosed along with this letter.

Point No 2: Copies of desired documents are enclosed alongwith this letter.

Point No 3: No such documents are available in this regard.

Point No 4: No committee was constituted for conducting AGT 2024.

Point No 5: The RTI Act defines information as any material in any form, including records, documents, emails, and more. If an application contains questions, the department will not provide information under section 2(f) of RTI Act 2005.

Point No 6: The information sought by the applicant has not been maintained in the format as desired by the applicant. As per the RTI Act, 2005, the public authority under the RTI Act is not supposed to interpret or create any information.

Point No 7: The third-party information may not be provided under section 8(1j) of RTI act, 2005.

Point No 8: The Chief Commissioners are empowered to issue Zonal Transfer Policies which are consistent with the guidelines contained in the Board's transfer policy issued vide Circular No. A-24015/4/2019-Ad.IIIB dated 08.07.2010. The Cadre Controlling Authority may order transfers in deviation of the policy on account of exceptional/unforeseen circumstances or

Arpana  
04/11/2024



administrative grounds.

Point No 9: No such data is maintained in this Office.

**If you seek to inspect any specific file/document for the purpose of getting information as sought vide above RTI, you can visit the office with prior intimation, on any working day during office hours, within 15 days of the receipt of this letter.**

3. If you are aggrieved with the above, you may file an appeal before the Appellate Authority, Chief Commissioner's Office, Customs, Central Excise & CGST (Bhopal Zone), 35-C, Administrative Area, Arera Hills, Bhopal within 30 days of receipt of this letter.

Signed by Sunil Kumar

*Kaushal* e-sd-

SUNIL KUMAR KAUSHAL, Assistant-Commissioner(SKK)-CCO-  
Bhopal, DC/A Date: 08-10-2024 12:21:38 T-Zone-Bhopal  
ASSISTANT COMMISSIONER (CCO/CPIO)

Recd  
15/10/2024

Anpang

Anpang  
04/11/2024

## The Right to Information Act, 2005

First Appeal before  
(The First Appellate Authority (RTI))  
THROUGH

**The First Appellate Authority (RTI),  
Office of the Chief Commissioner,  
Customs, Central Excise & Central GST,  
35-C, Mother Teresa Marg, Administrative Area,  
Arera Hills, Bhopal – 462011**

Appeal No. ----- Dated -----

[For office use only]

As I am aggrieved by decision of Central Public Information Officer and, I hereby file this appeal for your kind decision.

### 1. Details of appellant:

1.1 Full Name: **Smt. Arpana Raikwar wife of Shri Satish Kumar Raikwar**

1.2. Full Address: C/o SHRI SATISH KUMAR RAIKWAR, H.NO. - 585 'A', KAMLA NEHRU NAGAR, BESIDE CHOUBEY DAIRY, GARHA ROAD, JABALPUR (M.P.), PINCODE – 482002.

1.3 Phone/Cell No.: 09926687607

1.4 Email ID: arpanaraikwar04@gmail.com

### 2. Details of Central Public Information Officer (CPIO):

2.1 Name/Designation: Shri Sunil Kumar Kaushal, Assistant Commissioner (CCO/CPIO)

2.2 Full Address: Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal – 462011

2.3 Name of Public Authority: - Assistant Commissioner (CCO/CPIO)

### 3. Details of First Appellate Authority [FAA]:

3.1 Name/Designation of the FAA: The First Appellate Authority (RTI)

3.2 Full Address of FAA: Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal – 462011

### 4. Dates of RTI application/first appeal:

4.1 To CPIO: 12.09.2024 & mailed on: 12.09.2024

4.2 To FAA: 04.11.2024 & mailed on: 04.11.2024

*Arpana*  
04/11/2024

**5. Particulars of Decisions:**

5.1 Reference No & Date of CPIO's Decision: I/2333837/2024/1287 dated 08.10.2024

5.2 Reference No & Date of FAA's Decision: -

5.3 Date/s of personal hearing by FAA: NA.

**6. Dates of receipt of replies by appellant from:**

6.1 CPIO: 15.10.2024.

6.2 FAA: NA.

**7. Details of information sought:**

1. Certified copies of establishment orders issued for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).

2. Certified copies of policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).

3. Whether policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 have been duly proposed & considered by the JCM, if yes, please provide minutes of the concern JCM.

4. Whether any committee of the Departmental Officers have been formed/ constituted for transfer of Superintendents for the Annual General Transfer 2024, if yes provide details of the committee along with certified copies of the minutes of the committee, their recommendations and comments.

5. If, any committee of the Departmental Officers have not been formed/ constituted for transfer of Superintendents for the AGT'2024, reasons thereof.

6. How many Superintendents of Department have not been considered for transfer in the AGT'2024 to other Commissionerate/ other Zone even after completed 08 years at one station/same Commissionerate, Name wise details along with reasons for non-considering their names in the AGT'2024 for transfer to inter Commissionerate/Other Zone.

7. Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT'2024 to their requested Commissionerate.

8. Details & certified copies of authority, empowered to the Chief Commissioner, Customs, Central Excise & Central GST Zone Bhopal to transfer Superintendents to other Zone, without valid application & option filed by the concern Superintendent.

9. Expected expenses of Government revenue due to transfer of Superintendents in the Annual General Transfer 2024.

**8. Brief facts of the case:** The applicant has requested to the CPIO to furnish the information as desired at Sr. No.- (1) to (9) of column 7 of this appeal vide application dated 12.09.2024 under RTI Act'2005 for seeking information in public interest, but vide No.- I/2333837/2024/1287 dated 08.10.2024 received on 15.10.2024 the Hon'ble CPIO informed that –

Point No.- 1&2- Copy enclosed.

Point No.- 3- No such documents are available in this regard.

Point No.- 4- information provided.

Point No.- 5- The Department will not provide information.

*AnPang*  
*04/11/2024*



Point No.- 6-The information has not been maintained in the format as desired, hence not supplied.

Point No.- 7- The third- party information may not be provided.

Point No.- 8- Details of the Authority provided, but certified copies of authority has not provided.

Point No.- 9- No such data is maintained.

Therefore, it is clear that either the CPIO is unable to furnish the requested information or supplied incomplete information as requested by the applicant under RTI Act,2005, hence this appeal arise.

#### **9. Reasons/grounds for this appeal:**

(A) As per the Rule 2(f) of the Right to Information Act, 2005 – “Information means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.”

(B) Point No.- 1&2- Hon’ble CPIO has informed that copy enclosed but the same has neither been enclosed nor supplied to the applicant, the same can be verified from the face of the reply dated 08.10.2024 of the CPIO where “Enclosed -As above remains blank /without remark”, therefore certified copy of the same requested.

(C) Point No.- 6- It is very clear that without having reasonable data no transfer posting can be conducted, therefore the same can be provided to the applicant as available in any format or any mode because the same are clearly comes under the “Information” as define under Rule 2(f) of the Right to Information Act, 2005.

(D) Point No.- 7- Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT’2024 to their requested Commissionerate clearly not covered under the third-party data, the same is part and parcel of the Department proceeding, therefore the same cannot be denied in the name of third-party data, hence requested to supply the same.

(E) Point No.- 8- Details of the Authority provided, but certified copies of the same has not provided therefore requested to provide the same.

(F) Point No.- 9- The reply received from the CPIO is very surprising that, the Department of Revenue is not maintaining the data of expected expenses of Government revenue due to transfer of Superintendents in AGT. It is the common practice of all Government office that without any estimation and provision of money no work of Government activities finalized, therefore such data of the activities are available with the CPIO / or their subordinate offices and such information also clearly comes under the “Information” as define under Rule 2(f) of the Right to Information Act, 2005, therefore requested to provide the same.

From the above it is clear that the information sought by the applicant comes under the purview of the RTI Act, 2005 and the same are available with the CPIO therefore the same can be provided to the applicant, therefore Hon’ble Appellate Authority is humbly requested to provide the said information and oblige me.

**10. Any other information in support of appeal:** Further data /details available in relation to the information the same kindly be provided in support of the appeal.

*Arpana*  
*04/11/2024*

3

**11. Prayer/relief sought for:** Hon'ble Appellate Authority is humbly prayed to provide the said information and oblige me please.

**12. Grounds for prayer/relief sought for:** The information sought by the applicant comes under the purview of the RTI Act, 2005 in view of the plea as mentioned at column No.- 9 of this appeal and the same are related with the Office of the Chief Commissioner, Customs, Central Excise & Central GST, Bhopal Zone - Bhopal, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal – 462011 and available with the CPIO and the same can be provided to the applicant, therefore Hon'ble Appellate Authority is humbly prayed to provide the said information and oblige me please.

**13. Personal Presence at hearing: YES / NO:** No personal hearing is required by the applicant, kindly decide my appeal on merits/ on the basis of the documents placed before the appellate authority.

**14. Declaration:**

I hereby state that the information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with this Appellate Authority nor is pending with any Court or tribunal or authority.

Place: Jabalpur  
Date: 04.11.2024

Signature of appellant: Arpana  
04/11/2024  
(SMT ARPANA RAIKWAR)

**INDEX OF APPEAL**

of SMT ARPANA RAIKWAR dated 04.11.2024

1. Particulars Page Sr. No. from 01 to 05
2. Original first appeal (in duplicate)
3. Chronology chart of RTI application
4. Copy of RTI application dated 12.09.2024 with its enclosures.
5. Copy of proof of mailing RTI application: Send through Speed post copy of the same enclosed
6. DD/IPO/PS/Cash receipt for filing fees and other charges: enclosed
7. Copy of first appeal dated NA with its enclosures
8. Copy of proof of mailing first appeal: NA
9. Postal A.D. card/Acknowledgement letter, received from CPIO & FAA- available with CPIO/FAA
10. Copy of decision of CPIO/FAA dated: 08.10.2024 Enclosed
11. Copy of decision of FAA dated NA.
12. Proof of mailing complaint/second appeal to CPIO and FAA; NA
13. Other documents in support of second appeal; enclosed.

Place: Jabalpur (M.P.)  
Date: 04.11.2024

Signature of appellant: Arpana  
04/11/2024  
(SMT ARPANA RAIKWAR)

## CHRONOLOGICAL CHART OF RTI APPLICATION

of SMT ARPANA RAIKWAR dated 12.09.2024.

1. Action Date: information available with the CPIO
2. Application mailed to CPIO on: Send through Speed post on 12.09.2024 copy of the same enclosed
3. Application received by ACPIO/CPIO on: information available with the CPIO
4. Date of receipt of letter for paying charges: information available with the CPIO
5. Date of remitting charges to CPIO: information available with the CPIO
6. Date of decision of CPIO: 08.10.2024 (copy enclosed).
7. Date of receipt of decision of FAA by appellant/complainant: NA.
8. First appeal mailed to FAA on: NA
9. Date of receipt of appeal by FAA: NA.
10. Date/s of personal hearing by FAA: NA.
11. Date of decision of FAA: NA.
12. Date of receipt of decision of FAA by appellant/complainant: NA.
13. Date of Second Appeal/complaint:
14. Date of mailing copy of second appeal/ complaint to CPIO & FAA:
15. Date of mailing Second Appeal to CPIO:

Place: Jabalpur (M.P.)

Date: 04.11.2024

*Arpana*  
*04/11/2024*  
Signature of appellant  
((SMT ARPANA RAIKWAR))



RTI Application Form

Application No.-  
Date: 12.09.2024

To,  
The CPIO,  
Office of the Chief Commissioner,  
Customs, Central Excise & Central GST,  
35-C, Mother Teresa Marg, Administrative Area,  
Arera Hills, Bhopal – 462011

Sub:-Request for information under RTI Act, 2005

Respected Sir,

I Smt. Arpana Raikwar wife of Shri Satish Kumar Raikwar resident of 585-A, Kamla Nehru Nagar, Beside Choubey Dairy Garha Road, Jabalpur M.P. 482002 Telephone No. (with STD Code) / Mobile No. – (09926687607) wish to seek information, under the RTI Act, 2005 from Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal - 462011, I, hereby, declare that I am a Citizen of India and information sought in this application will be used in the best of the Public Interest. I further assure you that, I shall not allow/ cause to use / Pass / share / display / or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the Unity / Sovereignty or against the Interest of India.

1. The information needed is in the form of Documents (TICK)/ Clarification.
2. The Information sought pertains to your office.
3. The Required Information is for the period – for the related period
4. The information sought is related to Myself (TICK)/ Third Party
5. The particular / details of Information / Documents asked for is given below: -

1. Certified copies of establishment orders issued for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).
2. Certified copies of policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).
3. Whether policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 have been duly proposed & considered by the JCM, if yes, please provide minutes of the concern JCM.
4. Whether any committee of the Departmental Officers have been formed/ constituted for transfer of Superintendents for the Annual General Transfer 2024, if yes provide details of the committee along with certified copies of the minutes of the committee, their recommendations and comments.
5. If, any committee of the Departmental Officers have not been formed/ constituted for transfer of Superintendents for the AGT'2024, reasons thereof.
6. How many Superintendents of Department have not been considered for transfer in the AGT'2024 to other Commissionerate/ other Zone even after completed 08 years at one station/same Commissionerate, Name wise details along with reasons for non-considering their names in the AGT'2024 for transfer to inter Commissionerate/Other Zone.

Arpana  
12/09/2024

Arpana  
04/11/2024

-----02-----

Contd. --- 02---

7. Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT'2024 to their requested Commissionerate.
  8. Details & certified copies of authority, empowered to the Chief Commissioner, Customs, Central Excise & Central GST Zone Bhopal to transfer Superintendents to other Zone, without valid application & option filed by the concern Superintendent.
  9. Expected expenses of Government revenue due to transfer of Superintendents in the Annual General Transfer 2024.
6. I have deposited the required RTI Fee amount of Rs. 20/- (Rupees Twenty Only) towards application fee through **Indian Postal Order bearing No.- 20G 114912** favoring **"The Administrative Officer" 'Office of the Chief Commissioner, Customs, Central Excise & Central GST, 35-C, Mother Teresa Marg, Administrative Area, Arera Hills, Bhopal - 462011'** Payable at **BHOPAL**. Further, I also undertake to pay any additional fees/charges (if applicable) as prescribed under the RTI Act.

Kindly provide the information as soon as possible & within time frame as stipulated under RTI Act, 2005.

Enclosed – As above - **Indian Postal Order Rs.-20/-**

Place:- Jabalpur (M.P.)

Date :- 12.09.2024

**उपपत्रा COUNTERFOIL**

इसे काटकर प्रेषक अपने पास रख ले।  
To be detached and kept  
by the Sender.

पोस्टल आर्डर

**रुपए 20.00 Rs.**

**POSTAL ORDER**

किसी को भुगतान

To whom payable The

A.O. CGST BHOPAL

किस कार्यालय में

At what Office BHOPAL

क्या इसे क्रॉस किया है

Whether crossed Yes

प्रेषण की तारीख

Date sent 12/09/2024

**20G 114912**

Arpana  
12/09/2024

(SMT ARPANA RAIKWAR)

(Name and Signature of the Applicant)

Address: 585-A, Kamla Nehru Nagar,  
Beside Choubey Dairy, Garha Road,  
JABALPUR, (M.P.) – 482002



(Dial 18002666868) (Wear Masks, Stay Safe)

E1039039135IN IVR:6973039039135

SP WRIGHT TOWN S.O (482002)

Counter No:4, 12/09/2024, 11:24

To: THE CPIO, CUSTOMS

PIN:462011, Shiksha Mandali S.O

From: ARPANA RAIKWAR

Wt:40gms

Ant:41.30, Tax:6.30, Ant. Paid:41.00

(Track on www.indiapost.gov.in)

(Dial 18002666868) (Wear Masks, Stay Safe)



कार्यालय मुख्य आयुक्त  
OFFICE OF THE CHIEF COMMISSIONER  
सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन  
C.G.S.T., CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE  
35-C, सी.एम.जी. अवन, प्रशासनिक क्षेत्र, अररा हिल्स, भोपाल  
35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal (M.P.)-462 011  
Ph: 0755 2765, 08 2305901 Fax: 0755 2765, 08 2305901 Email: ccobhopal@gmail.com

17233383/2024

Bhopal, Date: 08.10.2024

1287

To

Smt Arpana Raikwar W/o Satish Kumar Raikwar  
585-A, Kamla Nehru Nagar, Beside Choubey Dairy  
Garha Road, Jabalpur, M.P.-482002

Madam,

**Sub: RTI Application dated 12.09.2024 filed under RTI Act, 2005 -reg.**

\*\*\*\*\*

Please refer to your RTI Application dated 12.09.2024 received in this Office on 17.09.2024 through speed post.

2. In this regard, the point wise reply to the above RTI Application is as follows:

Point No 1: Copy is enclosed along with this letter.

Point No 2: Copies of desired documents are enclosed alongwith this letter.

Point No 3: No such documents are available in this regard.

Point No 4: No committee was constituted for conducting AGT 2024.

Point No 5: The RTI Act defines information as any material in any form, including records, documents, emails, and more. If an application contains questions, the department will not provide information under section 2(f) of RTI Act 2005.

Point No 6: The information sought by the applicant has not been maintained in the format as desired by the applicant. As per the RTI Act, 2005, the public authority under the RTI Act is not supposed to interpret or create any information.

Point No 7: The third-party information may not be provided under section 8(1j) of RTI act, 2005.

Point No 8: The Chief Commissioners are empowered to issue Zonal Transfer Policies which are consistent with the guidelines contained in the Board's transfer policy issued vide Circular No. A-24015/4/2019-Ad.IIIB dated 08.07.2010. The Cadre Controlling Authority may order transfers in deviation of the policy on account of exceptional/unforeseen circumstances or

Arpana  
04/11/2024



administrative grounds.

Point No 9: No such data is maintained in this Office.

**If you seek to inspect any specific file/document for the purpose of getting information as sought vide above RTI, you can visit the office with prior intimation, on any working day during office hours, within 15 days of the receipt of this letter.**

3. If you are aggrieved with the above, you may file an appeal before the Appellate Authority, Chief Commissioner's Office, Customs, Central Excise & CGST (Bhopal Zone), 35-C, Administrative Area, Arera Hills, Bhopal within 30 days of receipt of this letter.

Signed by Sunil Kumar

Kaushal e-sd-

SUNIL KUMAR KAUSHAL, Assistant-Commissioner(SKK)-CCO-  
Bhopal, DC/A Date: 08-10-2024 12:21:36 T-Zone-Bhopal  
ASSISTANT COMMISSIONER (CCO/CPIO)

Recd  
15/10/2024  
Arpana

Arpana  
04/11/2024

	<p>कार्यालय मुख्य आयुक्त OFFICE OF THE CHIEF COMMISSIONER सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE 35-C, जी.एस.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.) 35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	---	---

**अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 09/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली - 110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
Smt. Arpana Raikwar,  
W/o Shri Satish Kumar Raikwar,  
H.No.-585-A, Kamla Nehru Nagar,  
Beside Choubey Dairy, Garha Road,  
Jabalpur-482002.

Phone/Cell No.: 09926687607  
Email ID: [arpanaraikwar04@gmail.com](mailto:arpanaraikwar04@gmail.com)

**Order In Appeal No. 09 /2024-25/APPEAL/RTI/CCO/BZ**  
**(Passed in RTI Appeal dated 04.11.2024 filed offline by Smt. Arpana Raikwar)**

-

**Appellant:** Smt. Arpana Raikwar, W/o Shri Satish Kumar Raikwar , H.No.-585-A, Kamla Nehru Nagar, Beside Choubey Dairy, Garha Road, Jabalpur.

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**

The appellant had filed offline RTI application dated 12.09.2024 with the CPIO, CCO Bhopal under the provisions of the Right to Information Act, 2005. The details of information sought vide the aforesaid RTI Application are as under:

- 1. Certified copies of Establishment Orders issued for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).*
  - 2. Certified copies of policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 (AGT-2024).*
  - 3. Whether policies adopted/considered for transfer of Superintendents for the Annual General Transfer 2024 have been duly proposed & considered by the JCM? If yes, please provide minutes of the concern JCM.*
  - 4. Whether any committee of the Departmental Officers have been formed/ constituted for transfer of Superintendents for the Annual General Transfer 2024? If yes, provide details of the committee along with certified copies of the minutes of the committee, their recommendations and comments.*
  - 5. If, any committee of the Departmental Officers have not been formed/ constituted for transfer of Superintendents for the AGT-2024, reasons thereof.*
  - 6. How many Superintendents of Department have not been considered for transfer in the AGT-2024 to other Commissionerate/ other Zone even after completing 08 years at one station/same Commissionerate? Name wise details along with reasons for non considering their names in the AGT-2024 for transfer to inter Commissionerate/Other Zone.*
  - 7. Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT-2024 to their requested Commissionerate.*
  - 8. Details & certified copies of authority, empowered to the Chief Commissioner, Customs, Central Excise & Central GST Zone Bhopal to transfer Superintendents to other Zone, without valid application & option filed by the concern Superintendent.*
  - 9. Expected expenses of Government revenue due to transfer of Superintendents in the Annual General Transfer 2024.*
2. The appellant was given the following reply by the Respondent/CPIO vide letter dated 08.10.2024:
- Point No 1: Copy is enclosed along with this letter.*
- Point No 2: Copies of desired documents are enclosed along with this letter.*
- Point No 3: No such documents are available in this regard.*



*Point No 4: No committee was constituted for conducting AGT 2024.*

*Point No 5: The RTI Act defines information as any material in any form, including records, documents, emails, and more. If an application contains questions, the department will not provide information under section 2(f) of RTI Act, 2005.*

*Point No 6: The information sought by the applicant has not been maintained in the format as desired by the applicant. As per the RTI Act, 2005, the public authority under the RTI Act is not supposed to interpret or create any information.*

*Point No 7: The third party information may not be provided under section 8(1(j) of RTI act, 2005.*

*Point No 8: The Chief Commissioners are empowered to issue Zonal Transfer Policies which are consistent with the guidelines contained in the Board's transfer policy issued vide Circular No. A-24015/4/2019-Ad.IIIB dated 08.07.2010. The Cadre Controlling Authority may order transfers in deviation of the policy on account of exceptional/unforeseen circumstances or administrative grounds.*

*Point No 9: No such data is maintained in this Office.*

### **Grounds of appeal:**

3.1. The appellant felt that the CPIO has not provided the details requested by her vide RTI request dated 12.09.2024.

3.2 Being aggrieved, the appellant had filed the instant RTI Appeal dated 04.11.2024 before the First Appellate Authority. The grounds on which the appeal has been filed are as under:

*(A) As per the Rule 2(f) of the Right to Information Act, 2005 – "Information means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force."*

*(B) Point No: 1&2- Hon'ble CPIO has informed that copy enclosed but the same has neither been enclosed nor supplied to the applicant, the same can be verified from the face of the reply dated 08.10.2024 of the CPIO where "Enclosed -As above remains blank /without remark", therefore certified copy of the same is requested.*

*(C) Point No: 6- It is very clear that without having reasonable data no transfer posting can be conducted, therefore the same can be provided to the applicant as available in any format or any mode because the same clearly comes under the "Information" as defined under Rule 2(f) of the Right to Information Act, 2005.*

*(D) Point No: 7- Name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT'2024 to their requested Commissionerate clearly not covered under the third-party data, the same is part and parcel of the Department proceeding, therefore the same cannot be denied in the name of third-party data, hence requested to supply the same.*

*(E) Point No: 8- Details of the Authority provided, but certified copies of the same has not provided therefore requested to provide the same.*

*(F) Point No: 9- The reply received from the CPIO is very surprising that, the Department of Revenue is not maintaining the data of expected expenses of Government revenue due to transfer of Superintendents in AGT. It is the common practice of all Government office that without any estimation and provision of money no work of Government activities finalized, therefore such data of the activities are available with the CPIO / or their subordinate offices and such information also clearly comes under the "Information" as defined under Rule 2(f) of the Right to Information Act, 2005, therefore requested to provide the same.*

**4. Reply of the CPIO, CCO Bhopal in response to the instant Appeal:** Comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal received is as under:

*Reply for point no (1 & 2): - Relevant copies were provided earlier. The same are being enclosed once again.*

*Reply for point no (6): - The applicant had raised a question in his RTI that may be answered on the basis of analysis. The CPIO is not liable to create any information but may provide only available information in any material form, including records, documents etc.*

*Reply for point no (7): - As provided under the act, that, the third-party information may not be provided under section 8(1) (j) of RTI Act, 2005.*

*Reply for point no (8): - Relevant copy of Board's transfer policy issued vide Circular No. A-24015/4/2019-Ad.IIIB dated 08.07.2010 was provided earlier. The same is being enclosed once again.*

*Reply for point no (9): - No information such as estimated expense incurred due to AGT-2024 is available.*

### **Discussion & Findings:**

5. I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the appellant had filed RTI application dated 12.09.2024 to which the CPIO has given the reply vide his letter dated 08.10.2024. However, the appellant was not satisfied with part of the answer and has therefore, filed the instant appeal. The Appellant has again requested for information sought vide point no. 1, 2, 6, 7, 8 and 9 of the original RTI Application dated 12.09.2024.

6. In connection with the instant RTI appeal, comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the appellant. The CPIO, CCO Bhopal has submitted his reply/comments on the matter as mentioned above.

7. I find that the CPIO had claimed to have already provided the relevant copies of the documents requested vide point no. 1, 2 and 8 of the original RTI Application. However, the copies of the same may again be provided to the appellant.

7.1. I further, find that vide point no. 6 of the RTI Application, the appellant has requested for

*name wise details along with reasons for not considering the request of officers in the AGT-2024 for transfer to other Commissionerate/Other Zone even after completing 08 years at one station/same Commissionerate.* However, the CPIO has stated that the answer to this question is not available and needs analysis. He has also stated that the CPIO is not liable to create any information but may provide only available information in any material form, including records, documents etc. I find that the information sought involves details along with reasons and is not available; in the form it is requested.

7.2. I also find that vide point no. 7 of the RTI Application, the appellant has requested for *name wise detailed reasons in respect of the Superintendents of Department who have applied but not considered for transfer in the AGT-2024 to their requested Commissionerate.* To, this the CPIO has stated that this involves third-party information which may not be provided under section 8(1) (j) of RTI Act, 2005. I find that the information sought by the appellant involves the details of other officers who had applied for transfer and is therefore, third party information.

7.3. The appellant, vide point no. 9 of the RTI Application has requested for details of *expected expenses of Government revenue due to transfer of Superintendents in the Annual General Transfer 2024.* The CPIO has stated that no such information is maintained and available. I also find that no such information as “expected expense” due to transfer in AGT is available.

8. I find that the CPIO has also extended the opportunity to the appellant to visit the office and seek the desired information by way of inspecting the specific files/documents available for the purpose of getting the information sought by the appellant vide his letter dated 08.10.2024.

9. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

### **Order**

In view of the above, I don't find any infirmity in the reply dated 08.10.2024 given by the CPIO to the appellant against her RTI Application dated 12.09.2024. However, I direct the CPIO to again, provide copies of the documents sought by the appellant vide point no. 1, 2 and 8 of the RTI Application. I also hold that if the appellant intends to seek some specific information related to the instant application, then she may again be given an opportunity to visit this office on prior intimation and on any working day during office hours and inspect the specific records/documents. The CPIO may inform the appellant accordingly, within 07 working days.

10. The RTI appeal dated 04.11.2024 filed by appellant is accordingly disposed off in the above terms.

Signed by  
Faraz Ahmad Qureshi  
Date: 26-11-2024 19:29:40  
(Faraz Ahmad Qureshi)  
First Appellate Authority &  
Additional Commissioner (CCO)

Copy to:

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for necessary action please.
2. Guard File



Telefax : 011- 25729871  
Telephone: 011- 25733146

Email Id: policy.dghrd@nic.in



**Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Indirect Taxes & Customs  
Directorate General of Human Resource Development  
409/8, Deep Shikha, Rajendra Place,  
New Delhi – 110008**

**Date: .12.2021**

To

The Principal Chief Commissioners/Chief Commissioners (GST) (All CCA)  
The Principal Chief Commissioners/Chief Commissioners (Customs) (All CCA)  
The Principal Director Generals/Director Generals of Directorate General (All)  
All Commissioners of Directorates  
The Commissioner, CGST Goa, Customs Goa, & Customs Vizag.

Subject: Comments/Input for Transfer/Placement/Deputation guidelines for Group 'B'  
Gazetted and Non-Gazetted Executive Officers (Posted to Customs formations)– reg.

Madam/Sir,

Please find enclosed herewith Ad. III B letter no. A-24015/4/2019-Ad. III B dated 13.12.2021 on the above cited subject. Also refer to Ad. III B letter no. A-24015/4/2019-Ad. III B dated 13.12.2021 addressed to all Cadre Controlling Authorities (CCAs) under CBIC regarding Deputation in respect of Group 'B' (Non-gazetted) & Group 'C' employees under CBIC, which are self-explanatory.

2. Board has desired that instruction issued vide letter F. No. 8/B/45/HRD (HRM)/2009(Part-II) dated 08.07.2010 of DGHRD (on transfer/placement guidelines for Group 'B' gazetted & non-gazetted executive officers posted to customs formations) may be revisited in light of DoPT guidelines. In this regard an issue was raised between DGPM (CCA of Directorates) and DGHRD regarding waiver of cooling off period for non- sensitive Directorates as provided in Para 10 of the letter. DoPT guidelines are silent regarding such waiver. In this regard, Board has conveyed that as the letter No. 8/B/45/HRD(HRM)/2009(Part-II) dated 08.07.2010 of DGHRD is more than a decade old, there is a need to align it not only with the changes in cadre control of Directorates but also with DoPT instruction issued from time to time. Board has further directed this office to consult with Directorates and field formations the necessity to continue with the DGHRD letter dated 08.07.2010 and forward recommendation to Board.

3. In view of the above, it is requested to provide inputs/comments on the necessity to continue with the DGHRD letter dated 08.07.2010, through Email at policy.dghrd@nic.in, by 27<sup>th</sup> December, 2021, so as to enable this office to forward the recommendations to the Board.

Yours faithfully,

Encl: As above

(Pallabika Dutta)  
Joint Director (HRM-II)

Copy to: The Under Secretary (Ad. III B), CBIC, New Delhi - for kind information.

No.A-24015/4/2019-Ad.IIIB  
Government of India  
Ministry of Finance, Department of Revenue  
Central Board of Indirect Taxes & Customs

\*\*\*

New Delhi-66

To,

Director General  
DGHRD under CBIC

(Through E-office/E-mail only)

Subject: Deputation issues of DGPM & DGHRD-Reg.

The undersigned is directed to refer to the meeting/discussion held on 05.02.2021 followed up by another meeting/discussion with DGPM on 24.11.2021 convened under the chair of Member (A &V) on the issues of depositions appointments & overstates of the officials of DDM to DGHRD and to convey that DGHRD's circular dated 08.07.2010 was stated to be meant for posting officials of customs formations, and hence it is not clear as to how DGHRD applied this circular for posting of Inspectors to their Directorate.

2. Furthermore, it is also to convey that as the circular dated 08.07.2010 of DGHRD is more than a decade old, and there is a need to align it not only with the changes in cadre control of Directorates but also with DoPT instructions issued from time to time, DGHRD may review the necessity to continue this circular in consultation with the Directorates and field formations, and forward recommendation to the Board. Another circular is under issue by Board stating that DGHRD's circular dated 08.07.2010 is under review and that till further instructions, all CCAs under CBIC must comply with DoP&T's O.M. No. 6/812009-Estt. (Pay II) dated 17.06.2010 amended from time to time and further DoPT instructions governing depositions issued from time to time, with immediate effect & until further orders.

Yours faithfully

(Mohammad Ashif)

Under Secretary to the Govt.

Mohammad.ashif@nic.in; 26162780

Signed by Mohammad Ashif

Date: 13-12-2021 14:49:43

Reason: Approved



1/38107/2021

No.A-24015/4/2019-Ad.IIIB  
No Government of India  
Ministry of Finance, Department of Revenue  
Central Board of Indirect Taxes & Customs  
\*\*\*

New Delhi-66

**CIRCULAR**

Subject: Deputation in respect of Group "B"(non-gazetted) Group "C" employees under CBIC-Reg.

The undersigned is directed to refer to DGHRD (CBIC)'s letter F.No.8/B/45/HRD (HRM) /2009 (Part II) dated 08.07.2010 on transfer/placement guidelines for group "B" gazetted & non gazetted executive officers, posted to customs formations.

2. DGHRD's letter referred to above is under review and hence, till further instructions, all CCAs under CBIC must comply with DoP&T's O.M. No. 6/812009-Estt. (Pay II) dated 17.06.2010 amended from time to time and further DoPT instructions governing deputations issued from time to time, with immediate effect & until further orders.

Yours faithfully

(Mohammad Ashif)  
Under Secretary to the Govt.  
mohammad.ashif@nic.in; 26162780

To,  
All Cadre Controlling Authorities under CBIC through CBIC's website.

Signed by Mohammad Ash  
Date: 13-12-2021 14:53:13  
Reason: Approved



Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Excise & Customs  
Directorate General of Human Resource Development  
409/8, Deep Shikha, Rajendra Place,  
New Delhi - 110008

F. No. 8/B/ 45/HRD (HRM)/2009 (Part-II)

Dated: 8<sup>th</sup> July, 2010

To,

All the Chief Commissioners of Central Excise & Customs

All the Directors General

All the Commissioners in-charge of Directorates

**Subject: Revised Transfer/ Placement Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs formations) - Approved by the Board on 19<sup>th</sup> May, 2010.**

Sirs / Madam,

The existing Guidelines for Transfer / Placement of Group 'B' Gazetted and Non-Gazetted Executive Officers, issued in the year 1994, required reconsideration in view of the complexities arising out of the last cadre restructuring done in the year 2001-02, which led to creation of smaller and more compact Commissionerates with officers having shorter stay at different postings/ charges. Hence, it was desirable to review and revise the transfer/ placement Guidelines, so as to have uniformity and to ensure a fair and merit based administration. Accordingly, the Board during its meeting held on 19.05.2010 approved fresh guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs formations). The said fresh guidelines are enclosed.

Chief Commissioners / Directors General are requested to take suitable steps to implement these guidelines.

Encl.: As above

Yours faithfully,

(T. Premkumar)  
Director General

D.G.H.R.D., C.B.E. & C.  
DISPATCHED  
S. No. 2774 to 2831  
Date 12/07/2010  
Dispatcher

**Subject: Revised Transfer/ Placement Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs formations) - Approved by the Board on 19<sup>th</sup> May, 2010.**

Existing Guidelines of Transfer / Placement for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs Commissionerates), issued in the year 1994, required reconsideration in view of the complexities arising out of the last cadre restructuring done in the year 2001-02, which led to creation of smaller and more compact Commissionerates with officers having shorter stay at different postings/ charges. Hence, the existing guidelines were reviewed and the Revised Transfer/ Placement Guidelines are as under:

**Posting and Transfer Guidelines Group 'B' Executive Gazetted as well as Non-Gazetted officers**

**Aim of the Policy:**

The aim of the revised transfer & posting policy guidelines for Group 'B' Executive Gazetted & Non-gazetted officers is to provide standardization of norms, transparency, objectivity and increased perception of fair-play and clarity in annual general transfers. Further, due care has been taken to ensure that the proposed guidelines promote integrity, efficiency, improved performance and at the same time provide necessary flexibility to senior management and empower them to formulate zonal transfer policies taking into account local factors.

These Posting and Transfer Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Grades for Customs Formations would supercede all previous guidelines, issued in respect of the posting & transfer of Executive Officers to Customs formations. Chief Commissioners may formulate the transfer & posting policy in respect of the Customs formations under their charge within the framework of these guidelines. The guidelines are as detailed below:

**1.0** General Transfers in Group 'B' Gazetted and Non-gazetted Executive grades, and in particular involving a change of station, should be effected once in a year, at the end of the academic year.



## 2.0 Allocation / Posting of Officers

- i. In case of the cadre having transfer liability to more than one Zone, Inter-zonal allocation of Group 'B' Gazetted and Non-gazetted officers should be based on an inter-zonal rotation policy, evolved and circulated amongst the Chief Commissioners of all the Zones sharing common staff cadres.
- ii. Allocation to a particular Commissionerate within a Zone will be based on a well defined rotation policy to be circulated by the Chief Commissioner.
- iii. Allocation of officers to the office of Commissioner (Appeals) / Commissioner (Adjudication) / Commissioner (TAR) / Large Tax Payers Units will be in consultation with the concerned Commissioner.
- iv. Posting of officers within a Commissionerate should be done by the Commissioner in-charge of the Commissionerate.
- iv. **Deviation:** Commissioner shall take approval of the Zonal Chief Commissioner in cases of deviation from this policy or any other guidelines prescribed by the Zonal Chief Commissioners.

3.0 **Classification of Charges:** Different charges in Customs Field Formations should be classified as Sensitive or Non-sensitive by the concerned Chief Commissioner. An illustrative list in this regard is provided in Enclosure-A to this Note. Any other section / unit, which in view of the concerned Chief Commissioner should be treated as Sensitive Charge, but are not listed here, can be added to the lists provided in the **Enclosure-A**.

## 4.0 Rotation between Sensitive and Non-sensitive postings:

- (i) There should be strict rotation and adherence to tenure of postings in case of all the posts - sensitive as well as non-sensitive- to ensure all round exposure and efficiency. However, in case where sufficient number of officers are not available due to administrative / vigilance reasons for posting to sensitive charges, officers can be rotated from one sensitive charge to another sensitive charge.
- (ii) As far as possible, an officer in the subsequent cycle of postings should not be posted in the same sensitive charge.
- (iii) There should be a gap of minimum one year between one sensitive posting to another.
- (iv) On reversion from a sensitive Directorate, as far as possible, officers would be posted to a non-sensitive charge for a minimum period of one year.

- (v) Posting to a sensitive charge should normally not exceed two years for each posting.
- (vi) First posting of the officers to a Customs Zone / Commissionerate should be, as far as administratively possible, to a non-sensitive charge.

**5.1 Minimum tenure in a charge:** Chief Commissioners may fix minimum tenure for each charge, which should not be less than one year normally, except for the tenure in hardship stations identified by the Chief Commissioners.

**5.2 Period of Stay at one Station:** The total period of stay at one station of an officer, belonging to a cadre with liability to serve at more than one station, except difficult areas, should not be for less than two years irrespective of the rank. Further, as far as possible, the officers should not be shifted from one station to another frequently. Chief Commissioners may prescribe station tenure as per local conditions.

**5.3 Period of Stay in a Commissionerate:** Posting tenure of officers in a Commissionerate should be prescribed by the Zonal Chief Commissioners.

**5.4 Posting to Difficult Areas:** Posting to Customs formations located in difficult and inhospitable areas should ordinarily be for one year only. In exceptional cases, concerned Chief Commissioner may specify tenure of six months. As far as possible, all officers should be rotated to such postings on the basis of roster, which should be circulated in advance of transfers every year. Illustrative List of such difficult postings is provided at **Enclosure-B**. However, the concerned Chief Commissioner would have the authority to add / delete the formations to/from the said list, as per his/her discretion.

**6.0 Last Posting before Superannuation:** Officers who are due for superannuation within two years should be, as far as feasible, posted to the station of his/her choice or, to the nearest station.

**7.0 Posting of spouses at same station:** If the spouse of an officer is also working in a Central/ State Government Office, he/she should be posted to the station where spouse is working or a nearby station as far as administratively possible, in terms of the DOP&T's extant guidelines in this regard.

**8.0 Inter-cadre Deputation within the Department:** Inter-cadre deputation shall be allowed to the willing officers for a period of three years. Extension of the said deputation period can be made up to one year by the concerned Commissioner and for a further period

60

of one year by Chief Commissioners / Directors General concerned on mutually agreed basis, in terms of the provisions contained in the Ministry's letter F. No. A-22015/3/2004 Ad. III A dated 19.02.2004 read with Ministry's another letter F. No. A-22015 /24/2008 Ad. III A dated 21.11.2008.

9.0 **Posting of Appraisers:** Cadre Controlling Authorities for three cadres of Appraiser Grade Officers, viz. Mumbai Customs, Chennai Customs and Kolkata Customs, should ensure that the officers belonging to Appraiser cadre under their respective control are also posted outside the cadre controlling Commissionerates (viz. Custom Houses at Kolkata, Chennai & Mumbai) to other Zones/ Commissionerates/ Directorates, which draw working strength in the grade of Appraiser from these three Appraiser Cadres. Rotation of the Appraisers to the formations outside cadre controlling Custom House should be done by a duly circulated roster. Continuous stay of Appraisers in these outside Zones/ Commissionerates / Directorates should be minimum 3 years.

**10. Posting / Deputation to Directorates General / Directorates / LTUs:**

a. **Tenure of Posting in Directorates / LTUs:** Tenure for intra - department deputation to DGRI and DGCEI would be for an initial period of five years – extendable by two years, one year at a time with the approval of designated authority – as per existing guidelines. For other Directorates, the tenure would be three years – extendable by two years, one year at a time.

b. **Cooling-off Period:** There should be a two years 'Cooling Off' period between the two of the following sensitive postings:

- i. Posting to DGRI
- ii. Posting to DG (Central Excise Intelligence)
- iii. Directorate of Vigilance

For posting to other non-sensitive Directorates, the condition of 'Cooling off Period' shall not be applicable. Further, for computation of station tenure in Customs & central Excise Zones, the period of posting to a Directorate, including DGRI, DGCEI and DG (Vigilance), would not be counted.

54

**11. Record Management and Transparency Regarding History of Postings:**

History of Postings of all Group 'B' Gazetted & Non-Gazetted Executive officers should be maintained by the concerned cadre controlling authority. Further, each cadre control authority should ensure that the same is put up on the website, maintained by it, within a period of one year of the issue of the guidelines to ensure transparency in administration.

**12. Training:** Concerned Chief Commissioners shall ensure that the officers from Central Excise formations are provided mandatory training of adequate duration in Customs work before their first posting to Customs charges in order to acclimatize them with the nature of work in ICDs/ CFSs, Airpool, etc. Further, all the officers posted to EDI based work environment (including RMS) shall invariably be given a familiarization / refresher courses on regular intervals.

**13.0 Powers to the Chief Commissioners:**

13.1 Chief Commissioners are empowered to issue Zonal Transfer Policies, which are consistent with these guidelines.

13.2 **Deviation from the guidelines:** Chief Commissioners have the discretion to deviate from the transfer guidelines, subject to recording the reasons for deviation in file.

13.3 **Disposal of Representations:** All the representations by the officers in respect of transfers / postings would be disposed by the Chief Commissioner, after obtaining the report from the Commissioner on the representation preferably within 15 days of the receipt of representation.



**Illustrative List of Sensitive Charges within a Customs Zone/ Commissionerate:**

1. Following Major Charges are proposed to be treated as sensitive in a Customs Formation:

**(a) Commissionerate Headquarters:**

- (i) Special Investigation Unit /SIIB/ Special Division/ CIU
- (ii) Rummaging & Intelligence Unit
- (iii) Vigilance Section
- (iv) Bond Section
- (v) Risk Management Cell
- (vi) Drawback and Refund Section
- (vii) Disposal Section

**(b) International Airports:**

- (i) Passenger Baggage Clearance
- (ii) Preventive Unit & Air Intelligence Unit
- (iii) Mishandled and Detained Baggage Section

**(c) International Air Cargo:**

- (i) Baggage Section
- (ii) All Appraising Import and Export Groups (including Import Assessment Unit and Export Assessment Unit)
- (iii) Preventive Section

**(d) Land Customs Stations having facility for Transit of Goods as well as passenger / vehicular Traffic:**

- (i) All postings

**(e) Seaports (Docks) / Inland Container Depots / Container Freight Stations/ Post Offices:**

- (i) Unaccompanied Baggage Clearance Cell
- (ii) Import Assessment Unit
- (iii) Export Clearance Unit
- (iv) Preventive Section
- (v) Import Shed
- (vi) Export Shed
- (vii) Postal Appraising Department / Foreign Post Office.

2. **List of Non-sensitive Charges within a Customs Zone/ Commissionerate:**

Following Charges are proposed to be treated as non-sensitive in a Customs Formation:

**(a) Classification of charges in Chief Commissioner's Office:**

All charges, except Vigilance section, in Chief Commissioner's Office are proposed to be treated as '**Non-sensitive**'.

**(b) Commissionerate Headquarters:**

- (i) Legal & Technical Section
- (ii) Administration & Posting Section
- (iii) Adjudication & Appeals Unit
- (iv) Prosecution
- (v) Computer Cell
- (vi) Control Room
- (vii) Statistics Section

**(c) International Airports & Aircargo:**

- (i) Office & Administration
- (ii) Statistics Section

**(d) Land Customs Stations having low Trade & Transit Density, or located in the difficult areas:**

All posts at such stations, subject to approval of these LCS as 'non-sensitive' by the concerned Chief Commissioner, based on specified limit of trade / passenger movement.

3. Posting to the **Offices of Commissioner (Appeals)/ Commissioner (Adjudication) / Commissioner (TAR)** should be considered as '**Non-sensitive**'.

4. Chief Commissioners are proposed to be empowered to declare any other post /charge as 'Sensitive' or 'Non-sensitive' in consultation with the concerned Commissioner.

Note: For classification of Charges in Central Excise Zones/ Commissionerates, separate guidelines are proposed to be issued, along with guidelines for transfer and posting in Central Excise Formations.

56

**Enclosure-B****Illustrative List of Customs formations in Difficult Areas**

Sl. No.	Zone	Commissionerate	Name of the Departmental Office / Duty post	Location of Duty post
1	Bangalore Customs	Mangalore Customs	Customs Preventive Unit (CPU)	Kumta
			Customs Preventive Unit	Bhatkal
			Customs Preventive Unit	Kundapura
2	Shillong Zone	Shillong Customs	CPFs/ LCSs (Agartala Customs Division)	Srimantpur
				Sonamura
				Belonia
				Mhurighat
				Manubazar
				Sabroom
				Howaighat
				Dholaighat
			CPFs/ LCSs (Aizawl Customs Division)	Demagiri
				Champhai
				Zawkhotare
				Melbuk
			CPFs/ LCSs (Dhubri Customs Division)	Bagmara
				Ghasupara
				Dalu
				Mahendragani
				Mankachar
				Golaganj

55

				Ultapani
				Hatisar
			CPFs/ LCSs (Dimapur Customs Division)	Nampong
			CPFs/ LCSs (Guwahati Customs Division)	Daranga
			CPFs/ LCSs (Imphal Customs Division)	Moreh
			CPFs/ LCSs (Karimganj Customs Division)	Badarpur
				Sutarkandi
				Dharmanagr
				Kailasahar
				Manu
				Olda Rahana
			CPFs/ LCSs (Shillong Customs Division)	Dawki
				Bholaganj
				Shella
				Ryngku
				Borsora
				Balat
				Ichamati
				Umkiang
3	Coimbatore CE	Selam CE	Coonoor	Coonoor
			Ooty	ooty
			Gudalur	Gudalur
4	Customs (P) Chennai	Trichy	Point Calimere	Point Calimere
5	Kolkata Customs	WB Customs	North Sikkim	Nathula
			Darjeeling	Pashupati Gate



			Siliguri	Sukhaiyapukari
			Dinajpur	Chamorchi
			Raiganj	Goalpukur
				Radhikapur
			Nadia	Singhabad
				Gede
				Banpur
			North 24 Pargana	Hingalganj
6	Cochin CE	Cochin	CE Range	Munnar
		Cochin Customs (P) Commrt.	CPU	Chavakkad
			CPU	Malappuram
			SPU	Beyepore
			CPU	Badagara
			CPU	Thalassery
			CPU	Kasargod
			CPU	Kanhangad
			CPU	Uduma
			CPU	Manjeshwaram
7	Mumbai-I Customs	Mumbai Customs (P) Commrt.	RSR, R&I	Mumbai Coast
		Mumbai Customs (P) Commrt.	M&P Wing	Mumbai Coast
		Mumbai Customs (P) Commrt.	Ali Baug Division	Alibaug
		Mumbai Customs (P) Commrt.	M&P Wing	Mumbai Coast
8	Patna Customs (P)	Lucknow Customs (P) Commissionerate	LCS	Jhulaghat, Uttarakhand

			LCS	Dharchula, Uttarakhand
			LCS	Gunji
			Circle	Pithoragarh
			LCS	Jarwa
		Patna Customs (P)	LCS	Galgolia
			LCS	Kunouli
			LCS	Balmiki Nagar
			Circle	Chhoradano
			Circle	Ghorasahan
			Circle	Sikta
9	Pune Central Excise	Pune Customs	Ratnagiri Division	Ratnagiri Division
10	Delhi Customs (P)	Jodhpur Cus.(P)	Bikanaer Division	Pugal Range
			Barmer Division	Gadra Road
				LCS, Mumabao
			Jaisalmer Division	Maizlar
				Sam
				Ramgarh
				Anoopgarh
11	Chandigarh CE	Amritsar Customs (P)		LCS, Shipkila
		Jammu & Kashmir	CPS	Akhnoor
			CPS	Rajouri
				LCS, Kaman Post

कार्यालय मुख्य आयुक्त  
**OFFICE OF THE CHIEF COMMISSIONER**  
सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन  
**CGST, CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE**  
35-C जीएसटी भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल  
**35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal**  
**Tel. No. 0755-2765208, Email: ccu-cexBhopal@nic.in**

C. No. I/2075323/2024

Bhopal, dated 24-06-2024

**Estt. Order No. 33/2024**

The following transfers and postings in the grade of Superintendent of CGST, Central Excise and Customs of Bhopal Cadre Control Zone are hereby ordered with immediate effect and till further orders:

**Table-I**

S. No.	Name of the Officer (Shri/Smt./Ms.)	From	To
1	Mragendra Sharma	Appeals, Indore	CGST, Jabalpur
2	Manoj K. Mishra	Appeals, Indore	CGST, Bhopal
3	Prachi Goyal	Appeals, Bhopal	CCO, Bhopal
4	C. D. Prasad	Appeals, Raipur	CGST, Raipur
5	Shashank	CCO, Bhopal	DRI, Bhopal
6	Ashish Raidhan	CCO, Bhopal	Audit, Bhopal
7	Vaibhav Bansal	CCO, Bhopal	Audit, Bhopal
8	Vibhuti Garg	CCO, Bhopal	CGST, Bhopal
9	Kishan K. Gautam	Audit, Bhopal	Customs, Indore
10	Ankur Gupta	Audit, Bhopal	Customs, Indore
11	Prashant Dwivedi	Audit, Bhopal	CGST, Jabalpur
12	Gaurav Shivhare	Audit, Bhopal	CGST, Jabalpur
13	Rajiv Shrivastava	Audit, Bhopal	CGST, Jabalpur
14	Anil Dandoyiya	Audit, Bhopal	CGST, Bhopal (non-sensitive)
15	Samrendra Dana	Audit, Bhopal	CGST, Bhopal
16	Anjelus Tireky	Audit, Bhopal	CGST, Bhopal
17	Sangeeta Saxena	Audit, Bhopal	CGST, Bhopal
18	Harsh Ku. Pandey	Audit, Bhopal	CGST, Bhopal
19	Sujit Chaturvedi	Audit, Bhopal	CGST, Bhopal
20	Bhojraj Kohad	Audit, Bhopal	CGST, Bhopal
21	Deepak	Audit, Bhopal	CGST, Ujjain
22	Ajay Mafidar	Audit, Bhopal	Appeals, Bhopal
23	Rakesh Kumar	Audit, Bhopal	CCO, Bhopal
24	Kavita Tandon	Audit, Bhopal	CCO, Bhopal
25	Gaurav Verma	Audit, Bhopal	DGCI, Bhopal

26	Dharam C. Meena	Audit, Bhopal	Nagpur Zone
27	Rahul Rathore	Audit, Indore	CGST, Ujjain
28	Sameer Dube	Audit, Indore	CGST, Indore
29	Vikas Meena	Audit, Indore	CGST, Indore
30	Sandeep M. Panvalkar	Audit, Indore	CGST, Indore
31	Ajay Tomar	Audit, Indore	CGST, Indore
32	Rajesh Mudarliar	Audit, Indore	CGST, Indore
33	Virendra Joshi	Audit, Indore	Nagpur Zone
34	Ayush Jain	Audit, Indore	Nagpur Zone
35	Dinesh G. Raikwar	Audit, Indore	Nagpur Zone
36	Vimala Tigga	Audit, Raipur	CGST, Raipur
37	Rekha Manoj	Audit, Raipur	CGST, Raipur
38	L. N. Rath	Audit, Raipur	CGST, Raipur
39	Hemant Ku. Ghoshal	Audit, Raipur	CGST, Raipur
40	Subroto Pal	Audit, Raipur	CGST, Raipur
41	Harish C. Vijaypal	Audit, Raipur	CGST, Raipur
42	Sanjay Kumar	Audit, Raipur	CGST, Raipur
43	R. L. Meshram	Audit, Raipur	CGST, Raipur
44	Puneet K. Mishra	Audit, Raipur	CGST, Jabalpur
45	Shashank Mandal	Audit, Raipur	Nagpur Zone
46	V. V. Raman	Audit, Raipur	Nagpur Zone
47	Vilas Tembhurnikar	Audit, Raipur	Nagpur Zone
48	H. Ulphas	Audit, Raipur	Nagpur Zone
49	Naman Agrawal	Customs, Indore	Customs, Indore (other than Bhopal)
50	Aditya Sharma	Customs, Indore	CGST, Bhopal
51	Sarita Pathroliya	Customs, Indore	CGST, Bhopal
52	Suresh Kumar Arya	Customs, Indore	CGST, Bhopal
53	Arun Kumar	Customs, Indore	CGST, Bhopal
54	Rishi Sharma	Customs, Indore	CGST, Indore
55	Prithviraj Chauhan	Customs, Indore	CGST, Indore
56	Anil Shrivastava	Customs, Indore	CGST, Indore
57	Brajesh Singh	Customs, Indore	CGST, Indore
58	Krishna Atroliya	Customs, Indore	CGST, Indore
59	Mayank Singh	Customs, Indore	CGST, Ujjain
60	Ravindra Bhokrikar	Customs, Indore	Audit, Indore
61	Prahlad Meena	Customs, Indore	Audit, Indore
62	Vinay Bhatnagar	Customs, Indore	Audit, Indore
63	Vikas Kumar Gupta	Customs, Indore	Audit, Indore
64	Muni Ram Meena	Customs, Indore	Audit, Indore
65	Rohit Meena	Customs, Indore	Audit, Indore
66	Manish Trivedi	Customs, Indore	Appeals, Indore
67	Abhish Singh Parihar	Customs, Indore	Appeals, Raipur
68	Atul Tiwari	Customs, Indore	Nagpur Zone



69	Sanjeev K. Srivastava	Customs, Indore	Nagpur Zone
70	Manojmon T. J.	DGGI, Bhopal	CGST, Bhopal
71	Yogendra Sharma	DGGI, Indore	CGST, Indore
72	Sunil Kumar Sinha	DGGI, Jabalpur	CGST, Jabalpur
73	Nitin Kumar Gupta	DGGI, Jabalpur	Audit, Indore
74	Munnu Meher	DGGI, Raipur	CGST, Raipur
75	Varun Khare	DGGI, Raipur	CGST, Raipur (till AGT-2025)
76	Ashish Lakra	DGGI, Raipur	CGST, Raipur
77	Abhishek Pandey	DGGI, Raipur	CGST, Raipur
78	Uma Balakrishnan	DGGI, Raipur	CGST, Raipur
79	Gajanand Sharma	DRI, Indore	CGST, Indore (till AGT-2025)
80	Qazi Mansoor Ali	DRI, Indore	Customs, Indore (non-sensitive)
81	Akash Geet Tripathi	DRI, Bhopal	CGST, Bhopal
82	Sanjay Goel	NACIN, Bhopal	CGST, Bhopal
83	Sandeep Pandey	NACIN, Raipur	Nagpur Zone
84	Sanat Kumar Panda	NACIN, Raipur	CGST, Raipur
85	Sumit Tiwari	NACIN, Raipur	Nagpur Zone
86	Vishal Kumar Jha	NACIN Raipur	Appeals, Raipur
87	Alok Kumar	CGST, Bhopal	CGST, Raipur
88	Dharmendra Singh	CGST, Bhopal	CGST, Jabalpur
89	Bharatraj Meena	CGST, Bhopal	CGST, Ujjain
90	Deepesh Vikram	CGST, Bhopal	CGST, Ujjain
91	Sandeep Patel	CGST, Bhopal	CGST, Jabalpur
92	Pratibha Singh	CGST, Bhopal	Audit, Bhopal
93	P. P. Dalal	CGST, Bhopal	Audit, Bhopal
94	Pavan Kumar Gupta	CGST, Bhopal	Audit, Bhopal
95	Radheshyam Sahu	CGST, Bhopal	Audit, Bhopal
96	Prasun Mittal	CGST, Bhopal	Audit, Bhopal
97	Neha Shastri	CGST, Bhopal	Appeals, Bhopal
98	Mayank S. Pandey	CGST, Bhopal	Appeals, Bhopal
99	Deoki Nandan Deo	CGST, Bhopal	CCO, Bhopal
100	P. K. Jha	CGST, Bhopal	CCO, Bhopal
101	Prabhat Khanna	CGST, Bhopal	Appeals, Bhopal
102	Dinesh Singh	CGST, Bhopal	CCO, Bhopal
103	Rahul Kumar (1990)	CGST, Bhopal	Customs, Indore
104	Vinod Kumar Nigam	CGST, Bhopal	Customs, Indore
105	Jayant Ghirnikar	CGST, Bhopal	Customs, Indore
106	Tarun Kumar Vaidya	CGST, Bhopal	CGST, Raipur
107	Mahendra S. Meena	CGST, Bhopal	Nagpur Zone
108	Sangharsh Dwivedi	CGST, Bhopal	Audit, Bhopal
109	Amit Raikwar	CGST, Bhopal	Audit, Bhopal

110	Rajesh Purania	CGST, Indore	CGST, Ujjain
111	Ashish Hadke	CGST, Indore	Audit, Indore
112	Deepika Thombre	CGST, Indore	Customs, Indore
113	Sameer Pandit	CGST, Indore	Customs, Indore
114	Eugene Abraham	CGST, Indore	Audit, Indore
115	Shailesh Sharma	CGST, Indore	Customs, Indore
116	Sachin Kumar	CGST, Indore	DRI, Indore
117	Garima	CGST, Indore	Customs, Indore
118	Praveen K. Shukla	CGST, Indore	Nagpur Zone
119	Devashish Nilosey	CGST, Indore	Customs, Indore
120	Rajkumar Jain	CGST, Indore	Appeals, Indore
121	Jitendra S. Ranawat	CGST, Indore	Audit, Indore
122	Ashok Kumar Jain	CGST, Indore	Customs, Indore
123	Santosh K. Jadaun	CGST, Indore	Audit, Indore
124	Harshit Kumar Singh	CGST, Indore	Nagpur Zone
125	Kumar Shivam	CGST, Indore	CGST, Ujjain
126	Vaibhav Ojha	CGST, Indore	Nagpur Zone
127	Punit Shekhawat	CGST, Indore	Nagpur Zone
128	Mahesh Verma	CGST, Indore	Appeals, Indore
129	Sandeep	CGST, Indore	Customs, Indore
130	Ruchita Sharma	CGST, Indore	Audit, Indore
131	Tarun Kumar Karahe	CGST, Indore	Customs, Indore
132	Prateek Singh	CGST, Indore	Customs, Indore
133	S. Srinivas	CGST, Raipur	Audit, Raipur
134	N. C. Patle	CGST, Raipur	Audit, Raipur
135	Sudhir Kumar Minj	CGST, Raipur	Audit, Raipur
136	Vikas K.Chandrakar	CGST, Raipur	Audit, Raipur
137	Vivekanand Mishra	CGST, Raipur	Audit, Raipur
138	Jitendra Nishad	CGST, Raipur	Audit, Raipur
139	Lalit Kishor Bara	CGST, Raipur	Audit, Raipur
140	Ashish Biswas	CGST, Raipur	Audit, Raipur
141	S. B. Mohanty	CGST, Raipur	Appeals, Raipur
142	Bikram Sahu	CGST, Raipur	Appeals, Raipur
143	Thomas Xavier	CGST, Raipur	Appeals, Raipur
144	K. K. Ghosh	CGST, Raipur	CGST, Indore
145	Nareish C. Srivastava	CGST, Raipur	DGGI, Raipur
146	Atul Tyagi	CGST, Raipur	DGGI, Raipur
147	Mayank K. Singh	CGST, Raipur	DGGI, Raipur
148	Kushagra Mishra	CGST, Raipur	DGGI, Raipur
149	Satyendra K. Mishra	CGST, Raipur	Nagpur Zone
150	Ashish Pathak	CGST, Raipur	Nagpur Zone
151	Sameer P. Kujur	CGST, Raipur	Nagpur Zone
152	Sunil K. Vaishnav	CGST, Raipur	Nagpur Zone
153	Anupam Koshta	CGST, Raipur	Nagpur Zone

154	Tarkeshwar Nath Amit Gautam	CGST, Raipur	Nagpur Zone
156	Sanjiva Mankapure	CGST, Raipur	Nagpur Zone
157	Kailash D. Shette	CGST, Raipur	CGST, Jabalpur
158	Pallav Parganiha	CGST, Raipur	CGST, Ujjain
159	Somen Goswami	CGST, Jabalpur	Appeals, Indore
160	Brijmohan Meena	CGST, Jabalpur	CGST, Ujjain
161	Rohit	CGST, Jabalpur	CGST, Ujjain
162	Nanda Roy	CGST, Jabalpur	CGST, Raipur
163	Gaurav Pandey	CGST, Jabalpur	Customs, Indore
164	Pawan Kumar Dongre	CGST, Jabalpur	Customs, Indore
165	Rahul Dubey	CGST, Jabalpur	DGGI, Bhopal
166	Paritosh Teotia	CGST, Jabalpur	DGGI, Bhopal
167	Sanjay Dhawale	CGST, Jabalpur	Nagpur Zone
168	Satish K. Raikwar	CGST, Jabalpur	Nagpur Zone
169	Kapil Kambley	CGST, Jabalpur	Nagpur Zone
170	Devendra K. Markam	CGST, Jabalpur	Nagpur Zone
171	Yashwant Shrivansh	CGST, Jabalpur	Nagpur Zone
172	Ranjeet Jhariya	CGST, Jabalpur	Nagpur Zone
173	Deepak Pandey	CGST, Jabalpur	Nagpur Zone
174	Vikas Ranjan	CGST, Ujjain	CGST, Jabalpur
175	Rajeev Khanapurkar	CGST, Ujjain	CGST, Indore
176	Arun Agrawal	CGST, Ujjain	CGST, Indore
177	Dashrath Dayar	CGST, Ujjain	CGST, Indore
178	Rajeev Balde	CGST, Ujjain	CGST, Indore
179	Swapan Kumar Dhali	CGST, Ujjain	CGST, Indore
180	Kenneth Fr. Gonsalves	CGST, Ujjain	CGST, Indore
181	Pankaj Bajaj	CGST, Ujjain	CGST, Indore
182	Kishanlal Kankarwal	CGST, Ujjain	CGST, Indore
183	Shirish Mirwani	CGST, Ujjain	Audit, Indore
184	Ghanshyam Sharma	CGST, Ujjain	Customs, Indore
185	Dolat Ram Sharma	CGST, Ujjain	DGGI, Indore
186	Rajendra Ku. Dhaneria	CGST, Ujjain	Nagpur Zone
187	Jugraj Meena	CGST, Ujjain	Nagpur Zone
188	Devdatt Tirdia	CGST, Ujjain	Nagpur Zone
189	Rajkumar Kanojia	Nagpur Zone	CGST, Ujjain
190	Pardeep Malik	Nagpur Zone	CGST, Bhopal
191	Deepak Rana	Nagpur Zone	Audit, Bhopal
192	Kaushik Deb	On loan from CGST, Ujjain to NACIN, Bhopal	On loan from CGST, Bhopal to NACIN, Bhopal
193	Bharat Tamrakar	On loan from CGST, Jabalpur to NACIN, Bhopal	On loan from CGST, Bhopal to NACIN, Bhopal

2. The GST Appellate Tribunals at Bhopal and Raipur are likely to be functional very soon. Therefore, the Officers posted in the Tribunals as per Table-II given below shall be relieved as and when the Tribunals become operational. Till such time, the Officers shall be utilized for non-sensitive work in their respective Commissionerates till operationalization of Tribunals or any work related to the Tribunals.

**Table-II**

<b>S. No.</b>	<b>Name of the Officer (Shri/Smt./Ms.)</b>	<b>From</b>	<b>To</b>
1	Brijesh K. Singh	Customs, Indore	CGST Raipur (GSTAT, Raipur)
2	Ajay Singh Ghunawat	DGGI, Bhopal	CGST Bhopal (GSTAT, Bhopal)
3	Devendra Tiwari	CGST, Bhopal	GSTAT, Bhopal
4	Anil Bhokre	CGST, Bhopal	GSTAT, Bhopal
5	Yashwant Kumar	CGST, Bhopal	GSTAT, Bhopal
6	Jayant M. Bhagwat	CGST, Bhopal	GSTAT, Bhopal
7	Shaji Narayanan	CGST, Bhopal	GSTAT, Bhopal
8	M. Rajiv	CGST, Raipur	GSTAT, Raipur
9	Santosh K. Singh	CGST, Raipur	GSTAT, Raipur
10	Manoj Mathew	CGST, Raipur	GSTAT, Raipur
11	B. B. Sahu	CGST, Raipur	GSTAT, Raipur
12	Jai Shankar Bhagat	CGST, Raipur	GSTAT, Raipur
13	Sumit Singh	CGST, Raipur	GSTAT, Raipur
14	Biman Roy	CGST, Raipur	GSTAT, Raipur
15	Arun Kumar Gajbe	CGST, Raipur	GSTAT, Raipur

3. The specific postings within the jurisdiction of the Commissionerates will be made by the jurisdictional Principal Commissioner/Commissioner. The Chief Commissioner, Nagpur Zone will allocate Commissionerates to the officers posted in Nagpur Zone. While doing the postings, it shall be ensured that the existing policy of rotation to sensitive and non-sensitive postings shall be adhered to. It may be ensured that no officer is posted in a sensitive charge continuously for more than 3 years. While posting the officers, their station preference as per ICT policy and history of posting may be duly considered.

4. While issuing posting orders, it shall be ensured that if any of the officers whose name has figured above is not clear from Vigilance angle, he/she should not be posted to a sensitive charge.

5. The transferred officers should prepare a list of all important and time bound matters under their charge and hand over the same to the controlling officer with a copy to the officer taking over the charge. The officers handling over the charge shall also prepare a note for the successor in terms of DoP&T OM. No. 13024/01/2014-



TRG (Trg Ref) dated 26.9.2014.

6. No representation whatsoever shall be entertained before the officers join at their new place of posting. Any representation from the officers through proper channel will be entertained only after joining in new place of posting.

7. All the representations of the officers for transfer/retention/rotation received till date have been disposed of.

8. No transfer TA/joining time will be admissible to the officers mentioned at Sr. No. 53, 87, 88, 156, 157, 160 to 164, 167, 174, 178 to 182, 184, 189 to 191 of Table-I, as they have been transferred on their own request.

9. The following officers as given in Table-III below; who are otherwise due for transfer have been retained till AGT-2025 on compassionate grounds:

**Table-III**

S. No.	Name of the Officer (Shri)	Place of posting
1.	R. L. Meena	CGST, Bhopal
2.	Uday Shankar Bhagat	CGST, Raipur (Non-sensitive)
3.	Utkarsh Singh	CGST, Raipur (Non-sensitive)
4.	Mukesh Kumar Barman	CGST, Jabalpur (Non-sensitive)
5.	Deepak Chauhan	CGST, Jabalpur
6.	Ravi Shankar Vimal	CGST, Jabalpur
7.	Deepak Kumar Sone	CGST, Jabalpur
8.	Manas Kumar Shrivastava	CGST, Jabalpur
9.	Rajesh Babu	CGST, Jabalpur
10.	Kamlesh Meena	Audit, Bhopal
11.	Manish Kumar	Audit, Bhopal

10. All the transferred officers must be relieved on or before 05.07.2023.

11. The rotation/loan period in Directorates will be of two years. Salary and all claims of officers posted to Directorates within the Zone on rotation basis shall be paid by the Commissionerates from where they have been posted to such Directorates.

12. This issues with the approval of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal.

Signed by  
Faraz Ahmad Qureshi  
Date: 24-06-2024 21:15:25  
(Faraz Ahmad Qureshi)  
Additional Commissioner (CCA)

Copy to:-

1. The Chief Commissioner, CGST, Nagpur Zone for information please.
2. The Principal Commissioner/Commissioner, CGST, Bhopal/Jabalpur/Indore/Ujjain/Raipur; Customs, Indore; Audit, Bhopal/Raipur/Indore; Appeal, Bhopal/Indore/Raipur for information and necessary action please.
3. The Additional Director General, DGGI, Bhopal/Raipur; DRI Indore; NACIN Bhopal for information and necessary action please.
4. The Chief Account Officer/Administrative Officer, Bhopal/Jabalpur/Indore/Ujjain/Raipur; Customs, Indore; Audit, Bhopal/Raipur/Indore; Appeal, Bhopal/Indore/Raipur for information and necessary action.
5. The Pay & Accounts Officer, Central Excise, Bhopal/Indore/Raipur/Nagpur for information please.
6. The individual concerned are requested to download copy of the order from official website [www.ccobz.gov.in](http://www.ccobz.gov.in) for his/her record and compliance.
7. The Webmaster, CCO, Bhopal
8. Guard File.

RTI APPEAL DETAILS			
<b>RTI Appeal Registration No. :</b>	CCEBH/A/ E/24/00027	<b>RTI Appeal Received Date :</b>	29/08/2024
<b>RTI Request Registration No. :</b>	CCEBH/R/ E/24/00099	<b>RTI Request Registration Date :</b>	28/08/2024
<b>Name :</b>	Ashish Shankar	<b>Gender :</b>	Male
<b>Address :</b>	Saket Apartment , Flat no 402Road number - 11 , East Patel Nagar		
<b>Pin Code :</b>	800023		
<b>State :</b>	Bihar	<b>Country :</b>	India
<b>Phone :</b>	Details not provided	<b>Mobile No :</b>	+91-9471478835
<b>Email :</b>	ashishshanker88@gmail.com		
<b>Status :</b>	Details not provided	<b>Educational Status :</b>	Details not provided.
<b>Citizenship :</b>	Indian	<b>Is Appellant below poverty line ? :</b>	No
<b>CPIO of Public Authority Approached :</b>	35353	<b>CPIO's Order/Decision Date :</b>	Details not provided
<b>CPIO's Order/Decision No. :</b>	Details not provided		
<b>Ground For Appeal :</b>	Any Other ground		
<b>Text of RTI First Appeal :</b>	Delhi Police and traitor P K Mishra wants the Hon. PM Dead , so that treason matter is closed silently. As the Hon. PM Shri Modi is killed by traitors under CIA Instructions , then Delhi Police and traitor P K Mishra will escape punishment of treason. Therefore they want Shri Modi dead. Death of Hon. PM by traitors present in PMO is a imminent danger. Delhi Police officials are complicit in treason. In Ministry of Home Affairs a treasonous Muslim deals the matter and takes no step (this Dealing officer is a traitor). The treasonous Muslim has ill-will against the nation and wants attack on the Hon. PM to be successful. The traitor P K Mishra has arranged such postings. Life of Hon. PM in danger. CIA Agent in the PMO - Jaichand. CIA is threatening the nation and traitors can attack the Hon. PM anytime. Shri Lal Bahadur Shastri - previous PM was also killed by CIA in Tashkent , by poisoning. Central Intelligence Agency killed Chairperson of the Atomic Energy Commission of India Bhabha in 1966 and delayed Indian Nuclear programme for one decade. Between 2022 and 2024 CIA plotted destruction of Indian Civilian Airplane programme , for next several decades with the help of traitors P. K. Mishra and others. At the same time , Loot of 160 Billion dollars / Rs 13 lakh crores - largest loot in the history of the world and the nation conducted by traitors. Central Vigilance		

Commission complaint no - 59782/2024 , 4 June 24. Complaint against - Sanjay Arora , Deotosh Singh , Sharat Kumar Sinha (Commissioner , DCP , ACP Delhi Police). As the PMO is traditionally the Incharge of the Delhi Police , all senior officers of the Delhi Police are behaving in a servile manner , towards the traitor and not taking step. As the treason conducted , now the traitor P K Mishra is not the Incharge of the Delhi Police. Kindly note 1 - As a parrot is kept in a cage of iron , similarly the Hon. PM has been put in a cage. The Hon. PM is not aware of treasonous activities of the traitor in the Hon. PM office. Commissioner of Police , Rajkot will initiate action against the traitor - P K Mishra. Traitor P K Mishra - PMO Principal Secretary. -- Forwarded message --- From: Raju Bhargava (Home) cp-raj@gujarat.gov.in To: ashishshanker88@gmail.com Subject: Commissioner of Police , lodge FIR. To: K B Ranavat(Home) dgp-g1-br@gujarat.gov.in 2. - Forwarded - From - I Branch DGP Office Gujarat Date - Jan 11, 24 Subject- Fw Rs 49000 crores to Rs 10 lakh crores , all treason. To - K B Ranavat(Home) From - Narasihma Komar , ADG Gujarat Police Kindly note - Delhi police CPIO replied - approach another forum. All forum as High Court has been approached - traitor is managing the matter with CIA. Traitor P K Mishra is rewarding corrupt officials through various rewards , like foreign posting , extension of tenure after retirement etc , for staying silent.

	<p style="text-align: center;">कार्यालय मुख्य आयुक्त OFFICE OF THE CHIEF COMMISSIONER सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE 35-C, जी.एस.टी .भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.) 35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal</p> <p style="text-align: center;">Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	--	---

**अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 05/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली -110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
Shri Ashish Shankar,  
Saket Apartment, Flat No. 402,  
Road Number-11  
East Patel Nagar,  
Bihar-800023  
Email: [ashishshanker88@gmail.com](mailto:ashishshanker88@gmail.com)



**Order In Appeal No. 05 /2024-25/APPEAL/RTI/CCO/BZ****Passed in RTI Appeal No. CCEBH/A/E/24/00027**

**Appellant:** Shri Ashish Shankar, Saket Apartment, Flat No. 402, Road Number-11, East Patel Nagar, Bihar-800023

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**

The appellant had filed RTI application CCEBH/R/E/24/00099 dated 28.08.2024 on RTI portal under the provisions of the Right to Information Act 2005 with the CPIO, CCO Bhopal. The text of the RTI application dated 28.08.2024 reads as under:

*“Delhi Police and traitor P K Mishra wants the Hon. PM Dead , so that treason matter is closed silently. As the Hon. PM Shri Modi is killed by traitors under CIA Instructions, then Delhi Police and traitor P K Mishra will escape punishment of treason. Therefore they want Shri Modi dead. Death of Hon. PM by traitors present in PMO is a imminent danger. Delhi Police officials are complicit in treason. In Ministry of Home Affairs a treasonous Muslim deals the matter and takes no step (this Dealing officer is a traitor). The treasonous Muslim has ill-will against the nation and wants attack on the Hon. PM to be successful. The traitor P K Mishra has arranged such postings. Life of Hon. PM in danger. CIA Agent in the PMO - Jaichand. CIA is threatening the nation and traitors can attack the Hon. PM anytime. Shri Lal Bahadur Shastri - previous PM was also killed by CIA in Tashkent, by poisoning. Central Intelligence Agency killed Chairperson of the Atomic Energy Commission of India Bhabha in 1966 and delayed Indian Nuclear programme for one decade. Between 2022 and 2024 CIA plotted destruction of Indian Civilian Airplane programme , for next several decades with the help of traitors P. K. Mishra and others. At the same time , Loot of 160 Billion dollars / Rs 13 lakh crores – largest loot in the history of the world and the nation conducted by traitors. Central Vigilance Commission complaint no - 59782/2024 , 4 June 24. Complaint against - Sanjay Arora , Deotosh Singh , Sharat Kumar Sinha (Commissioner , DCP , ACP Delhi Police). As the PMO is traditionally the Incharge of the Delhi Police , all senior officers of the Delhi Police are behaving in a servile manner , towards the traitor and not taking step. As the treason conducted, now the traitor P K Mishra is not the Incharge of the Delhi Police.*

*Kindly note:*

1. *As a parrot is kept in a cage of iron , similarly the Hon. PM has been put in a cage. The Hon. PM is not aware of treasonous activities of the traitor in the Hon. PM office. Commissioner of Police , Rajkot will initiate action against the traitor P K Mishra. Traitor P K Mishra - PMO Principal Secretary.*

2. *- Forwarded-From - I Branch DGP Office Gujarat Date - Jan 11, 24 Subject- Fw Rs 49000 crores to Rs 10 lakh crores , all treason. To - K B Ranavat(Home) From Narasihma Komar , ADG Gujarat Police*

*Kindly note :*

*Delhi police CPIO replied - approach another forum. All forum as High Court has been approached - traitor is managing the matter with CIA. Traitor P K Mishra is rewarding corrupt officials through various rewards , like foreign posting , extension of tenure after retirement etc , for staying silent."*

2. The RTI application dated 28.08.2024 was returned to the appellant on 28.08.2024 itself with suggestion to file the same under the concerned state public authority.

### **Grounds of appeal:**

- 3.1. The appellant felt that the CPIO has not provided the details requested by him vide RTI request dated 28.08.2024.

- 3.2 Being aggrieved, the appellant had filed the instant appeal CCEBH/A/E/24/00027 dated 29.08.2024 before the First Appellate Authority.

### **Reply of the CPIO, CCO Bhopal in response to the instant Appeal:**

4. In this regard, comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The CPIO, CCO Bhopal vide his letter dated 12.09.2024 has submitted comments as under:

*"On perusal of the said RTI Application, it appears that the matter is related to law and order and pertains to state, and no information has been asked. Therefore, the RTI application was returned to the applicant with suggestion to file the same under the concerned State Government. However, with regards to the instant appeal, it is further added that since no specific information has been asked vide the RTI request dated 28.08.2024, therefore, unable to provide at this stage, however if the applicant have specific information related to the instant application & to this office, then he may be informed to visit this office on prior intimation and on any working day during office hours and seek the same"*

### **Discussion & Findings:**

5. I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the CPIO, CCO, Bhopal Zone received the RTI application CCEBH/R/E/24/00099 from the appellant on 28.08.2024 through RTI portal. Since, on perusal of the RTI request, CPIO found that the matter pertains to state and it was not clear that what information has been asked, therefore, the same was returned by the CPIO to the appellant with suggestions to file the same before the concerned public authority under state. The appellant felt that the CPIO has not provided the desired information to him, and therefore, filed the instant appeal.

6. In connection with the instant appeal CCEBH/A/E/24/00025 dated 28.08.2024, comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the appellant. The CPIO, CCO Bhopal has submitted his reply/comments on the matter as mentioned above.

7. I find that the CPIO had returned the RTI request to the appellant on 28.08.2024 itself as the appellant has not sought any specific information in his request which could be provided to him. When comments were sought from CPIO on this appeal, he reiterated his earlier position and submitted that with regards to the instant appeal, no specific information has been asked vide the RTI request dated 28.08.2024, therefore, the same cannot be provided at this stage, however if the applicant seeks any specific information related to the instant application & to this office, then he may be informed to visit this office on prior intimation and on any working day during office hours and seek the same.

8. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

**Order**

1. In view of the above, I do not find any infirmity in the submission of the CPIO that no specific information has been asked by the appellant in his RTI request dated 28.08.2024. However, I hold that if the appellant intends to seek some specific information related to the instant application and/or to this office, then he may be informed to visit this office on prior intimation on any working day during office hours and seek the same. The CPIO may inform the appellant accordingly within 07 working days of the issuance of this order.
2. The RTI appeal CCEBH/A/E/24/00027 dated 29.08.2024 filed by appellant is accordingly disposed off in the above terms.

Signed by

Faraz Ahmad Qureshi

Date: 13-09-2024 10:54:47  
(Faraz Ahmad Qureshi)

First Appellant Authority &  
Additional Commissioner (CCO)

**Copy to:**

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information please.
2. Guard File

First Appellant Authority &  
Additional Commissioner (CCO)



कार्यालय मुख्य आयुक्त

**OFFICE OF THE CHIEF COMMISSIONER**

सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन

**C.G.S.T., CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE**

35-C, जी.एस.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल

**35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal (M.P.)-462 011**

Ph.0755-2765208, 2765903; Email: ccu-cexbpl@nic.in; ccobhopal@gmail.com

I/2287822/2024

Bhopal, Date: 19-09-2024

Through E-mail

To

Shri Ashish Shankar,  
Saket Apartment, Flat No. 402,  
Road Number-11  
East Patel Nagar,  
Bihar-800023  
Email: ashishshanker88@gmail.com

Sir,

**Sub: RTI Appeal CCEBH/A/E/24/00027 dated 29.08.2024 filed under RTI Act,2005 -reg.**

Please refer to your RTI appeal CCEBH/A/E/24/00027 dated 29.08.2024 and RTI application CCEBH/R/E/24/00099 dated 28.08.2024.

2. In pursuance to the Order-in-Appeal No 05/2024-25 /APPEAL/RTI/CCO/BZ dated 13.09.2024 issued by the First Appellate Authority, CCO, Bhopal Zone, the reply to the information sought in the above RTI Application is reiterated as under:

*"It appears that the matter of the above RTI Application is related to law and order and pertains to State administration, and no specific information has been sought. Therefore, the RTI application may be filed under the concerned State Government. However, if the applicant desires any specific information related to the instant application & to this office, then he may visit this office on prior intimation and on any working day during office hours and seek the same".*

Signed by **e-sd-**  
SUNIL KUMAR KAUSHAL, Assistant-Commissioner(SKK)-CCO-  
Bhopal, District In-charge Assistant-Commissioner-CGST-Zone-Bhopal  
Date: 19-09-2024 13:08:03  
**ASSISTANT COMMISSIONER (CCO/CPIO)**

Speed Post

प्रति,  
M.R. Faraz Ahmad Qureshi  
Additional Commissioner,  
First Appellate Authority (RTI)  
CCO, CGST & Central Excise  
Bhopal Zone  
Bhopal-462011.

From:- A.P. Deshpande  
23 Bhrami Ashilekha Opp.  
Housat Flat No. 302,  
Vijaynagar Appth. Dabha  
Ring Road Nagpur-440023  
dt-16/09/2024.

संदर्भ:-

विषय:- Appeal against RTI reply letter No. 1/2226546/2024/1221/Bhopal dt 23/08/2024 Under Sec. 19(1) of RTI Act 2005.

संदर्भ:- कृपया निम्नलिखित के RTI Application dt 26/08/2024 का अवलोकन करे, तथा CPIO, CCO, CGST & Central Excise Bhopal Zone के पत्र/जवाब 1/2226546/2024/1221/Bhopal dt 23/08/2024 का अवलोकन करे।

उपरोक्त संदर्भ में दिया गया पत्र/जवाब मुझे दि. 04/09/2024 को प्राप्त हुआ, मैं उपरोक्त पत्र में दिये गये जवाब से संतुष्ट नहीं हूँ। चूंकि मांगी गयी जानकारी तथा दस्तावेज (Documents) की कॉपीयाँ पूर्ण रूप से नहीं दी गयीं। वह निम्नानुसार प्रस्तुत हैं।

- ① CGST & Central Excise Nagpur Zone ने G.CCO/III(20)/82/2020 ACTS dt 09/01/2024 द्वारा जो Service Particulars / Proposal आपको भेजा है। उसकी Photo Copy Documents प्राप्त नहीं हुई। कृपया भेजने का कष्ट करे।
- ② पैरा नं. 3 में MACP के Specific कौन से Provision तथा Rule के अन्तर्गत हैं एवं MACP के G.P. 48001- के नीचे eligible नहीं हैं इसका उल्लेख नहीं है। वह देने की कृपा करे। तथा Specific Provision तथा Rule की फोटो कॉपी प्राप्त नहीं हुई। वह देने का कष्ट करे। साथसे यह स्पष्ट हो की मैं एवं MACP के G.P. 48001- के नीचे मिलने हेतु अयोग्य हूँ।
- ③ एवं MACP G.P. 48001- मुझे नहीं दिया जा सकता यह निर्णय जिस "Notesheet" द्वारा किया गया है। उसकी फोटो कॉपी नहीं दी गयी। वह देने की कृपा करे। तथा नहीं देने का कारण पूर्ण रूप से Detail में जानकारी प्रस्तुत नहीं दी गयी। वह देने की कृपा करे।

NAGPUR,  
dt-16/09/2024.

आपका आभारी  
Deshpande  
16/09/24  
(A.P. Deshpande)  
Retired Canteen Manager  
CGST & Excise Nagpur-II

Re/  
Urgent P.I.-  
Supdt (RTI)  
for ma  
for  
20/09/24  
BPLCO



	<p>कार्यालय मुख्य आयुक्त OFFICE OF THE CHIEF COMMISSIONER सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE 35-C, जी.एस.टी .भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.) 35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	---	---

**अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 06/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली -110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
Shri A.P. Deshpande,  
23, Bhoomi Abhilekh Cooperative Housing Society,  
Flat No. 302, Vighnaharta Apartment,  
Dabha Ring Road,  
Nagpur-440023.

**Order In Appeal No. 06 /2024-25/APPEAL/RTI/CCO/BZ****Passed in RTI Appeal Dated 20.09.2024**

**Appellant:** Shri A.P. Deshpande, 23, Bhoomi Abhilekh Cooperative Housing Society, Flat No. 302, Vighnaharta Apartment, Dabha Ring Road, Nagpur-440023.

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**

The appellant had filed offline RTI application dated 26.07.2024 under the provisions of the Right to Information Act, 2005 with the CPIO, CCO Bhopal which was received in CPIO's office on 29.07.2024. Vide the RTI Application dated 29.07.2024, the appellant had sought following information:

1. उपरोक्तानुसार संलग्न दिनांक 24/05/2024 के पत्र के ऊपर अभी तक क्या कार्यवाही कि गयी है? मुझे सूचित करने की कृपा करें।
  2. की गयी कार्यवाही के दस्तावेज़ की फोटो कॉपी मुझे देने की कृपा करें।
  3. तथा यह भी स्पष्ट करे कि मुझे अभी तक 3<sup>rd</sup> MACP का लाभ क्यों नहीं दिया गया?
  4. तथा यह भी नम्र निवेदन है कि अविलंब कार्यवाही कर मुझे 3<sup>rd</sup> MACP के लाभ से लाभान्वित करने की कृपा करें। और ऑर्डर की कॉपी निम्नलिखित पते पर भेजने की कृपा करें।
2. The appellant was given following reply by the Respondent/CPIO vide his letter dated 23.08.2024:

“In this regard, it is to inform you that Nagpur Zone vide letter No. GCCO/III/(20)/82/2020-ACCTS dated 09.01.2024 forwarded your service particulars according to which your date of joining is 29.10.1990 in the pay scale of 950-20-1150 which equals to PB-1, Grade Pay-1900/-. Thereafter, you were granted 1st ACP in the pay scale of 3200-85-4900 (Grade Pay-2000/-) subsequently upgraded to 4000-100-6000 which equals to PB-1, Grade Pay-Rs. 2400/-. Further, second MACP was granted to you w.e.f. 29.10.2011 in pay scale 9300-34800 Grade Pay- Rs.4600/-. As per the provisions of MACP and on verification of the above mentioned particulars, you are not eligible for further upgradation, thereafter 3rd MACP in the PB-2 grade of Rs.4800/- has not been granted to you”

3. **Grounds of appeal:** The appellant has filed the instant appeal on following grounds:

1. CGST & Central Excise Nagpur Zone ने GCCO/II/(20)/82/2020 ACCTS dated 09/01/2024 द्वारा जो Service Particulars/ Proposals आपको भेजा है। उसकी Photo Copy Documents प्राप्त नहीं हुये। कृपया भेजने का कष्ट करें।
2. पैरा नं 3 में MACP के Specific कौन से Provision तथा rule के अंतर्गत 3<sup>rd</sup> MACP के G.P. 4800/- के लिये eligible नहीं हूँ इसका उल्लेख नहीं है। वह देने की कृपा करें। तथा Specific Provision तथा rules की फोटो कॉपी प्राप्त नहीं हुई है वह देने का कष्ट करें। जिससे यह स्पष्ट हो कि मैं 3<sup>rd</sup> MACP के G.P. 4800/- के लिये मिलने हेतु अयोग्य हूँ।
3. 3<sup>rd</sup> MACP G.P. 4800/- मुझे नहीं दिया जा सकता है यह निर्णय जिस 'Notesheet' द्वारा लिया गया है उसकी फोटो कॉपी नहीं दी गयी वह देने का कष्ट करें। तथा नहीं देने का कारण पूर्ण रूप से Detail में जानकारी प्रस्तुत नहीं की गयी वह देने की कृपा करें।

**Reply of the CPIO, CCO Bhopal in response to the instant Appeal:**

4. In this regard, comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal received is as under:

*Reply for point no. 1 & 3 of the appeal: This office notes that the appellant did not seek the copy of CGST Nagpur Zone's letter dated 09.01.2024 in his RTI dated 29.07.2024. Also, he has sought the copies of note sheets which itself is a new information. He has added additional request in this RTI Appeal. As per the provisions contained in the RTI Act, 2005, the Appellant may file a separate RTI Application if he wants to obtain additional information. It is not open for an information seeker to enlarge the scope of his RTI Application at the stage of appeal.*

*Reply for point no. 2 of the appeal: This office already provided the information regarding point no. 3 of RTI dated 29.07.2024. However, the guidelines of MACP were not provided to the officer because he had not requested earlier for the same. Now, the copies of relevant DOPT OM's are enclosed herewith for reference.*

### **Discussion & Findings:**

5. I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the CPIO, CCO, Bhopal Zone received the RTI application from the appellant on 29.07.2024 through post. The CPIO, CCO, Bhopal Zone vide letter dated 23.08.2024 provided the reply to the appellant. The appellant felt that the CPIO has not provided the copies of related proposals/note sheets to the appellant. Further, the appellant has mentioned that the CPIO did not provide the information of the specific provisions of MACP and Rules, according to which he is not eligible for 3<sup>rd</sup> MACP in the Grade Pay-Rs.4800/-.

6. In connection with the instant appeal dated 20.09.2024; comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the appellant. The CPIO, CCO Bhopal has submitted his reply/comments on the matter as mentioned above.

7. On perusal of the comments submitted by the CPIO and RTI Application of the appellant, I find that the CPIO had already provided the desired information to the appellant vide his letter dated 23.08.2024. I further find that,

- a. The appellant, in his RTI Application, did not ask for copy of letter GCCO/III(20)/82/2020ACCTS dated 09.01.2024 issued by CGST Nagpur vide which his service particulars were forwarded.
- b. The appellant was duly replied by the CPIO that 3<sup>rd</sup> MACP in the Grade Pay-Rs.4800/- was not granted to him as he was not eligible for the same as per the provisions of MACP. The appellant did not mention about any specific provisions or rules in his RTI Application, therefore same were not provided. The copies of OM's issued by DOPT, according to which the appellant is not eligible for MACP, may now being provided.
- c. The appellant did not ask for copies of notesheet in his original RTI Application.

8. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

### **Order**

- a. In view of the above, I do not find any infirmity in the reply dated 23.08.2024 given by the CPIO against the RTI application dated 29.07.2024 filed by the appellant. However, the CPIO is directed to provide copies of OM's issued by DOPT, according to which the appellant is not eligible for 3<sup>rd</sup> MACP in the Grade Pay-Rs.4800/-. Further, the Appellant may file a separate RTI Application if he wants to obtain additional information which was not sought vide the original RTI application dated 29.07.2024.

9. The RTI appeal dated 20.09.2024 filed by appellant is accordingly disposed off in

the above terms.

Signed by  
Faraz Ahmad Qureshi  
Date: 11-10-2024 18:11:55  
(Faraz Ahmad Qureshi)

First Appellate Authority &  
Additional Commissioner (CCO)

Copy to:

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information please.
2. Guard File

First Appellate Authority &  
Additional Commissioner (CCO)

**कार्यालय मुख्य आयुक्त****OFFICE OF THE CHIEF COMMISSIONER****सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन****C.G.S.T., CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE****35-C, जी.एस.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल****35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal (M.P.)-462 011****Ph.0755-2765208, 2765903; Email: ccu-cexbpl@nic.in; ccobhopal@gmail.com**

I/2365453/2024

Bhopal, Date: 18-10-2024

Through E-mail

To

Shri A.P. Deshpande,  
23, Bhoomi Abhilekh Cooperative Housing Society,  
Flat No. 302, Vighnaharta Apartment,  
Dabha Ring Road,  
Nagpur-440023.

Sir,

**Sub:** RTI Appeal dated 16.09.2024 filed under RTI Act,2005 -reg.

Please refer to your RTI Appeal dated 16.09.2024 filed under RTI Act,20025.

2. In pursuance to the Order-in-Appeal No 06/2024-25 /APPEAL/RTI/CCO/BZ dated 11.10.2024 issued by the First Appellate Authority, CCO, Bhopal Zone, the reply to the information sought in the above RTI Application is submitted as under:

Reply for point no. 1 & 3 of the appeal: The copy of CGST Nagpur Zone's letter dated 09.01.2024 was not sought in the RTI application dated 29.07.2024. The copy of notesheet is additional information which has been sought only in the RTI Appeal. As per the provisions contained in the RTI Act, 2005, the Appellant may file a separate RTI Application if he wants to obtain additional information. It is not open for an information seeker to enlarge the scope of his RTI Application at the stage of appeal.

Reply for point no. 2 of the appeal: This office already provided the information regarding point no. 3 of RTI dated 29.07.2024. The copies of relevant DOPT OM's are now enclosed herewith for reference.

Encl: As above

Signed by

Sunil Kumar Kaushal

**e-sd-**  
SUNIL KUMAR KAUSHAL, Assistant Commissioner(SKK)-CCO-  
Bhopal, DC/AC-1-O/o Chief Commissioner-CGST-Zone-Bhopal  
ASSISTANT COMMISSIONER (CCO/CPIO)  
Date: 18-10-2024 17:16:56



No.35034/3/2008-Estt. (D)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
(Department of Personnel and Training)

.....

North Block, New Delhi, the 19<sup>th</sup> May, 2009

OFFICE MEMORANDUM

**SUBJECT: - MODIFIED ASSURED CAREER PROGRESSION SCHEME (MACPS) FOR THE CENTRAL GOVERNMENT CIVILIAN EMPLOYEES.**

\*\*\*\*\*

The Sixth Central Pay Commission in Para 6.1.15 of its report, has recommended Modified Assured Career Progression Scheme(MACPS). As per the recommendations, financial upgradation will be available in the next higher grade pay whenever an employee has completed 12 years continuous service in the same grade. However, not more than two financial upgradations shall be given in the entire career, as was provided in the previous Scheme. The Scheme will also be available to all posts belonging to Group "A" whether isolated or not. However, organised Group "A" services will not be covered under the Scheme

2. The Government has considered the recommendations of the Sixth Central Pay Commission for introduction of a MACPS and has accepted the same with further modification to grant three financial upgradations under the MACPS at intervals of 10, 20 and 30 years of continuous regular service .

3. The Scheme would be known as "**MODIFIED ASSURED CAREER PROGRESSION SCHEME (MACPS) FOR THE CENTRAL GOVERNMENT CIVILIAN EMPLOYEES.**" This Scheme is in supersession of previous ACP Scheme and clarifications issued there under and shall be applicable to all regularly appointed Group "A", "B", and "C" Central Government Civilian Employees **except officers of the Organised Group "A" Service.** The status of Group "D" employees would cease on their completion of prescribed training, as recommended by the Sixth Central Pay Commission and would be treated as Group "C" employees. Casual employees, including those granted 'temporary status' and employees appointed in the Government only on adhoc or contract basis shall not qualify for benefits under the aforesaid Scheme. The details of the MACP Scheme and conditions for grant of the financial upgradation under the Scheme are given in Annexure-I.

4. An Screening Committee shall be constituted in each Department to consider the case for grant of financial upgradations under the MACP Scheme. The Screening Committee shall consist of a **Chairperson** and **two members.** The members of the Committee shall comprise officers holding posts which are at least one level above the grade in which the MACP is to be considered and not below the rank of Under Secretary equivalent in the Government. The Chairperson should generally be a grade above the members of the Committee.

5. The recommendations of the Screening Committee shall be placed before the Secretary in cases where the Committee is constituted in the Ministry/Department or before the Head of the organisation/competent authority in other cases for approval.
6. In order to prevent undue strain on the administrative machinery, the Screening Committee shall follow a **time-schedule** and meet twice in a financial year – preferably in the first week of *January* and first week of *July* of a year for advance processing of the cases maturing in that half. Accordingly, cases maturing during the first-half (April-September) of a particular financial year shall be taken up for consideration by the Screening Committee meeting in the first week of January. Similarly, the Screening Committee meeting in the first week of July of any financial year shall process the cases that would be maturing during the second-half (October-March) of the same financial year.
7. However, to make the MACP Scheme operational, the Cadre Controlling Authorities shall constitute the first Screening Committee within a month from the date of issue of these instructions to consider the cases maturing upto 30<sup>th</sup> June, 2009 for grant of benefits under the MACPS.
8. In so far as persons serving in The Indian Audit and Accounts Departments are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.
9. Any interpretation/clarification of doubt as to the scope and meaning of the provisions of the MACP Scheme shall be given by the Department of Personnel and Training (Establishment-D). The scheme would be operational w.e.f. 01.09.2008. In

**Copy to :-**

1. President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Supreme Court/Rajya Sabha Secretariat/Lok Sabha Secretariat/ Cabinet Secretariat/UPSC/CVC/C&AG/Central Administrative Tribunal (Principal Bench), New Delhi.
2. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3. Secretary, National Commission for Minorities.
4. Secretary, National Commission for Scheduled Castes/Scheduled Tribes
5. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
6. All Staff Side Members of the National Council (JCM)
7. Establishment (D) Section - 1000 copies
8. NIC, DoPT, North Block for up-loading of the OM in DoPT website.

\*\*\*\*\*

**MODIFIED ASSURED CAREER PROGRESSION SCHEME (MACPS)**

1. There shall be three financial upgradation s under the MACPS, counted from the direct entry grade on completion of 10, 20 and 30 years service respectively. Financial upgradation under the Scheme will be admissible whenever a person has spent 10 years continuously in the same grade-pay.
2. The MACPS envisages merely placement in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay as given in Section 1 , Part-A of the first schedule of the CCS (Revised Pay) Rules, 2008. Thus, the grade pay at the time of financial upgradation under the MACPS can, in certain cases where regular promotion is not between two successive grades, be different than what is available at the time of regular promotion. In such cases, the higher grade pay attached to the next promotion post in the hierarchy of the concerned cadre/organisation will be given only at the time of regular promotion.
3. The financial upgradation s under the MACPS would be admissible up-to the highest grade pay of Rs. 12000/ in the PB-4.
4. Benefit of pay fixation available at the time of regular promotion shall also be allowed at the time of financial upgradation under the Scheme. Therefore, the pay shall be raised by 3% of the total pay in the pay band and the grade pay drawn before such upgradation. There shall, however, be no further fixation of pay at the time of regular promotion if it is in the same grade pay as granted under MACPS. However, at the time of actual promotion if it happens to be in a post carrying higher grade pay than what is available under MACPS, no pay fixation would be available and only difference of grade pay would be made available. To illustrate, in case a Government Servant joins as a direct recruit in the grade pay of Rs. 1900 in PB-1 and he gets no promotion till completion of 10 years of service, he will be granted financial upgradation under MACPS in the next higher grade pay of Rs. 2000 and his pay will be fixed by granting him one increment plus the difference of grade pay (i.e. Rs. 100). After availing financial upgradation under MACPS, if the Government servant gets his regular promotion in the hierarchy of his cadre, which is to the grade of Rs. 2400, on regular promotion, he will only be granted the difference of grade pay between Rs. 2000 and Rs. 2400. No additional increment will be granted at this stage.
5. Promotions earned/upgradations granted under the ACP Scheme in the past to those grades which now carry the same grade pay due to merger of pay scales/upgradations of posts recommended by the Sixth Pay Commission shall be ignored for the purpose of granting upgradations under Modified ACPs.

**Illustration-I**

The pre-revised hierarchy (in ascending order) in a particular organization was as under:-

Rs. 5000-8000, Rs. 5500-9000 & Rs. 6500-10500.

- (a) A Government servant who was recruited in the hierarchy in the pre-revised pay scale Rs. 5000-8000 and who did not get a promotion even after 25 years of service prior to 1.1.2006, in his case as on 1.1.2006 he would have got two financial upgradations under ACP to the next grades in the hierarchy of his organization, i.e., to the pre-revised scales of Rs. 5500-9000 and Rs. 6500-10500.
- (b) Another Government servant recruited in the same hierarchy in the pre-revised scale of Rs. 5000-8000 has also completed about 25 years of service, but he got two promotions to the next higher grades of Rs. 5500-9000 & Rs. 6500-10500 during this period.

In the case of both (a) and (b) above, the promotions/financial upgradations granted under ACP to the pre-revised scales of Rs. 5500-9000 and Rs. 6500-10500 prior to 1.1.2006 will be ignored on account of merger of the pre-revised scales of Rs. 5000-8000, Rs. 5500-9000 and Rs. 6500-10500 recommended by the Sixth CPC. As per CCS (RP) Rules, both of them will be granted grade pay of Rs. 4200 in the pay band PB-2. After the implementation of MACPS, two financial upgradations will be granted both in the case of (a) and (b) above to the next higher grade pays of Rs. 4600 and Rs. 4800 in the pay band PB-2.

6. In the case of all the employees granted financial upgradations under ACPS till 01.01.2006, their revised pay will be fixed with reference to the pay scale granted to them under the ACPS.

6.1 In the case of ACP upgradations granted between 01.01.2006 and 31.08.2008, the Government servant has the option under the CCS (RP) Rules, 2008 to have his pay fixed in the revised pay structure either (a) w.e.f. 01.01.2006 with reference to his pre-revised scale as on 01.01.2006; or (b) w.e.f. the date of his financial upgradation under ACP with reference to the pre-revised scale granted under ACP. In case of option (b), he shall be entitled to draw his arrears of pay only from the date of his option i.e. the date of financial upgradation under ACP.

6.2 In cases where financial upgradation had been granted to Government servants in the next higher scale in the hierarchy of their cadre as per the provisions of the ACP Scheme of August, 1999, but whereas as a result of the implementation of Sixth CPC's recommendations, the next higher post in the hierarchy of the cadre has been upgraded by granting a higher grade pay, the pay of such employees in the revised pay structure will be fixed with reference to the higher grade pay granted to the post. To illustrate, in the case of Jr. Engineer in CPWD, who was granted 1<sup>st</sup> ACP in his hierarchy to the grade of Asstt. Engineer in the pre-revised scale of Rs.6500-10500 corresponding to the revised grade pay of Rs.4200 in the pay band PB-2, he will now be granted grade pay of Rs.4600 in the pay band PB-2 consequent upon upgradation of the post of Asstt. Enggs. In CPWD by granting them the grade pay of Rs.4600 in PB-2 as a result of Sixth CPC's recommendation. However, from the date of implementation of the MACPS, all the financial upgradations under the Scheme should be done strictly in accordance with the hierarchy of grade pays in pay bands as notified vide CCS (Revised Pay) Rules, 2008.



7. With regard to fixation of his pay on grant of promotion/financial upgradation under MACP Scheme, a Government servant has an option under FR22 (1) (a) (1) to get his pay fixed in the higher post/ grade pay either from the date of his promotion/upgradation or from the date of his next increment viz. 1<sup>st</sup> July of the year. The pay and the date of increment would be fixed in accordance with clarification no.2 of Department of Expenditure's O.M. No.1/1/2008-IC dated 13.09.2008.

8. Promotions earned in the post carrying same grade pay in the promotional hierarchy as per Recruitment Rules shall be counted for the purpose of MACPS.

8.1 Consequent upon the implementation of Sixth CPC's recommendations, grade pay of Rs. 5400 is now in two pay bands viz., PB-2 and PB-3. The grade pay of Rs. 5400 in PB-2 and Rs.5400 in PB-3 shall be treated as separate grade pays for the purpose of grant of upgradations under MACP Scheme.

9. 'Regular service' for the purposes of the MACPS shall commence from the date of entry into direct entry grade on a regular basis either on direct recruitment

15. If a financial upgradations under the MACPS is deferred and not allowed after 10 years in a grade pay, due to the reason of the employees being unfit or due to departmental proceedings, etc., this would have consequential effect on the subsequent financial upgradation which would also get deferred to the extent of delay in grant of first financial upgradation.
16. On grant of financial upgradation under the Scheme, there shall be no change in the designation, classification or higher status. However, financial and certain other benefits which are linked to the pay drawn by an employee such as HBA, allotment of Government accommodation shall be permitted.
17. The financial upgradation would be on non-functional basis subject to fitness, in the hierarchy of grade pay within the PB-1. Thereafter for upgradation under the MACPS the benchmark of 'good' would be applicable till the grade pay of Rs. 6600/- in PB-3. The benchmark will be 'Very Good' for financial upgradation to the grade pay of Rs. 7600 and above.
18. In the matter of disciplinary/ penalty proceedings, grant of benefit under the MACPS shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of the CCS (CCA) Rules, 1965 and instructions issued thereunder.
19. The MACPS contemplates merely placement on personal basis in the immediate higher Grade pay /grant of financial benefits only and shall not amount to actual/functional promotion of the employees concerned. Therefore, no reservation orders/roster shall apply to the MACPS, which shall extend its benefits uniformly to all eligible SC/ST employees also. However, the rules of reservation in promotion shall be ensured at the time of regular promotion. For this reason, it shall not be mandatory to associate members of SC/ST in the Screening Committee meant to consider cases for grant of financial upgradation under the Scheme.
20. Financial upgradation under the MACPS shall be purely personal to the employee and shall have no relevance to his seniority position. As such, there shall be no additional financial upgradation for the senior employees on the ground that the junior employee in the grade has got higher pay/grade pay under the MACPS.
21. Pay drawn in the pay band and the grade pay allowed under the MACPS shall be taken as the basis for determining the terminal benefits in respect of the retiring employee.
22. If Group "A" Government employee, who was not covered under the ACP Scheme has now become entitled to say third financial upgradation directly, having completed 30 year's regular service, his pay shall be fixed successively in next three immediate higher grade pays in the hierarchy of revised pay-bands and grade pays allowing the benefit of 3% pay fixation at every stage. Pay of persons becoming eligible for second financial upgradation may also be fixed accordingly.

23. In case an employee is declared surplus in his/her organisation and appointed in the same pay-scale or lower scale of pay in the new organization, the regular service rendered by him/her in the previous organisation shall be counted towards the regular service in his/her new organisation for the purpose of giving financial upgradation under the MACPS.

24. In case of an employee after getting promotion/ACP seeks unilateral transfer on a lower post or lower scale, he will be entitled only for second and third financial upgradations on completion of 20/30 years of regular service under the MACPS, as the case may be, from the date of his initial appointment to the post in the new organization.

25. If a regular promotion has been offered but was refused by the employee before becoming entitled to a financial upgradation, no financial upgradation shall be allowed as such an employee has not been stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and the second the next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal.

26. Cases of persons holding higher posts purely on adhoc basis shall also be considered by the Screening Committee alongwith others. They may be allowed the benefit of financial upgradation on reversion to the lower post or if it is beneficial vis-a-vis the pay drawn on adhoc basis.

27. Employees on deputation need not revert to the parent Department for availing the benefit of financial upgradation under the MACPS. They may exercise a fresh option to draw the pay in the pay band and the grade pay of the post held by them or the pay plus grade pay admissible to them under the MACPS, whichever is beneficial.

## 28. Illustrations

- A (i) If a Government servant (LDC) in PB-I in the Grade Pay of Rs.1900 gets his first regular promotion (UDC) in the PB-I in the Grade Pay of Rs.2400 on completion of 8 years of service and then continues in the same Grade Pay for further 10 years without any promotion then he would be eligible for 2<sup>nd</sup> financial upgradation under the MACPS in the PB-I in the Grade Pay of Rs.2800 after completion of 18 years (8+10 years).
- (ii) In case he does not get any promotion thereafter, then he would get 3<sup>rd</sup> financial upgradation in the PB-II in Grade Pay of Rs.4200 on completion of further 10 years of service i.e. after 28 years (8+10+10).
- (iii) However, if he gets 2<sup>nd</sup> promotion after 5 years of further service in the pay PB-II in the Grade Pay of Rs.4200 (Asstt. Grade/Grade "C") i.e. on completion of 23 years (8+10+5years) then he would get 3<sup>rd</sup> financial upgradation after completion of 30 years i.e. 10 years after the 2<sup>nd</sup> ACP in the PB-II in the Grade Pay of Rs.4600.

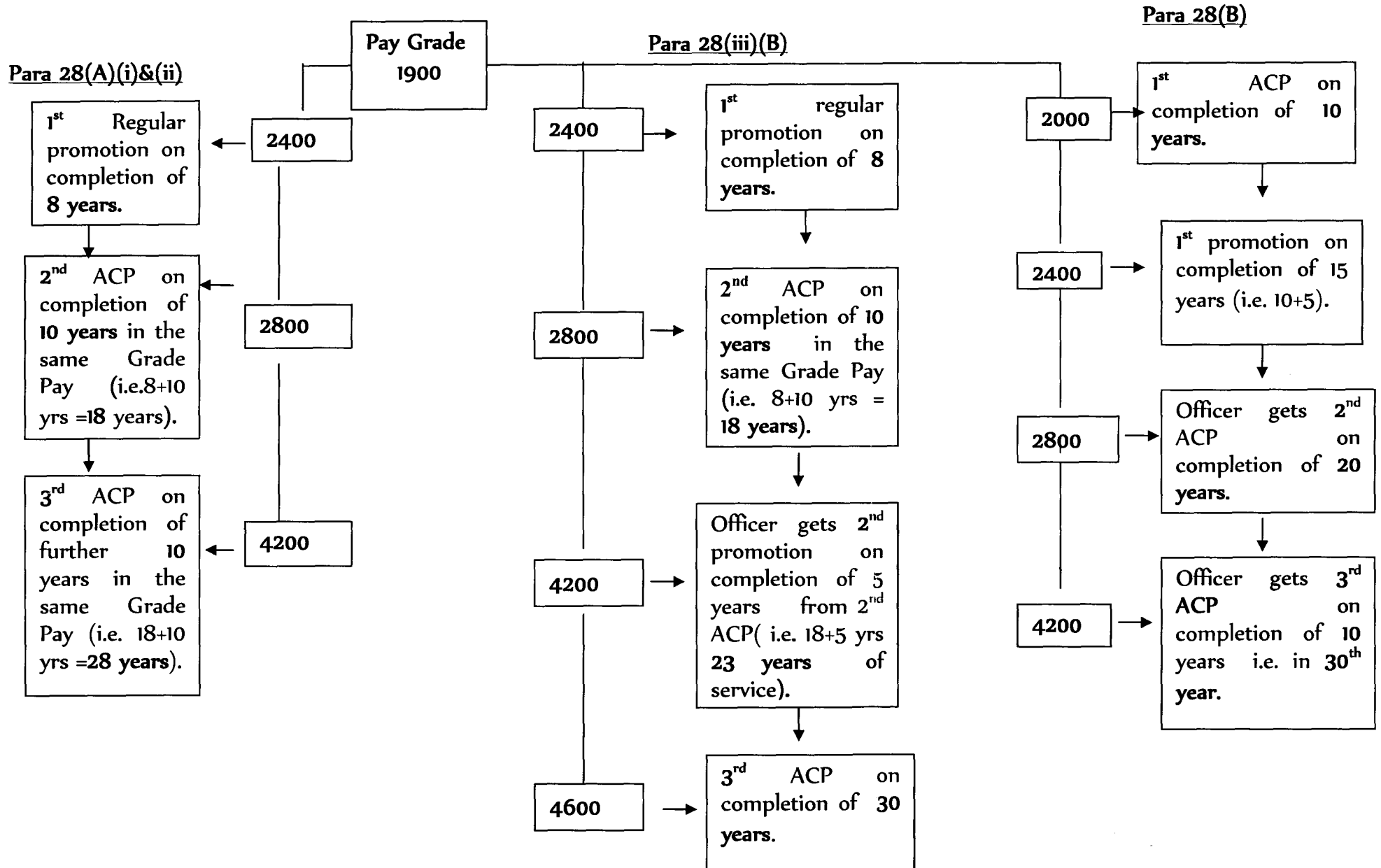
In the above scenario, the pay shall be raised by 3% of the total pay in the Pay Band and Grade Pay drawn before such upgradation. There shall, however, be no further fixation of pay at the time of regular promotion if it is in the same Grade Pay or in the higher Grade Pay. Only the difference of grade pay would be admissible at the time of promotions.

- B. If a Government servant (LDC) in PB-I in the Grade Pay of Rs.1900 is granted 1<sup>st</sup> financial upgradation under the MACPS on completion of 10 years of service in the PB-I in the Grade Pay of Rs.2000 and 5 years later he gets 1<sup>st</sup> regular promotion (UDC) in PB-I in the Grade Pay of Rs.2400, the 2<sup>nd</sup> financial upgradation under MACPS (in the next Grade Pay w.r.t. Grade Pay held by Government servant) will be granted on completion of 20 years of service in PB-I in the Grade Pay of Rs.2800. On completion of 30 years of service, he will get 3<sup>rd</sup> ACP in the Grade Pay of Rs. 4200. However, if two promotions are earned before completion of 20 years, only 3<sup>rd</sup> financial upgradation would be admissible on completion of 10 years of service in Grade Pay from the date 2<sup>nd</sup> promotion or at 30<sup>th</sup> year of service, whichever is earlier.
- C. If a Government servant has been granted either two regular promotions or 2<sup>nd</sup> financial upgradation under the ACP Scheme of August, 1999 after completion of 24 years of regular service then only 3<sup>rd</sup> financial upgradation would be admissible to him under the MACPS on completion of 30 years of service **provided that he has not earned third promotion in the hierarchy.**

  
(S.Jainendra Kumar)

Deputy Secretary to the Govt. Of India.

ILLUSTRATIONS





No.35034/3/2015-Estt.(D)

Government of India

Ministry of Personnel, Public Grievances and Pensions

(Department of Personnel and Training)

North Block, New Delhi -110001

Dated the 22<sup>nd</sup> October, 2019

**OFFICE MEMORANDUM**

**SUBJECT:- CONSOLIDATED GUIDELINES REGARDING MODIFIED ASSURED CAREER PROGRESSION SCHEME FOR THE CENTRAL GOVERNMENT CIVILIAN EMPLOYEES.**

\*\*\*\*\*

The Seventh Central Pay Commission in Para 5.1.44 of its report, recommended that Modified Assured Career Progression Scheme (MACPS) will continue to be administered at 10, 20 and 30 years as before. In the new Pay matrix, the employees will move to the immediate next Level in the hierarchy. As per the recommendations, the Scheme will be available to all posts, including Group "A" posts, whether isolated or not. However, Organised Group "A" Services will not be covered under the Scheme. In other words, MACPS will continue to be applicable to all employees up to HAG level, except members of Organised Group 'A' Services.

2. The Government has considered the recommendations of the Seventh Central Pay Commission for continuation of MACPS and has accepted the same. The MACPS will continue to be administered at 10, 20 and 30 years as before. Under the Scheme, the employee will move to immediate next Pay Level in the new Pay Matrix.

3. The Scheme shall continue to be applicable to all regularly appointed Group "A"(except officers of the Organised Group "A" Services), "B", and "C" Central Government Civilian Employees. Casual employees, including those granted 'temporary status' and employees appointed in the Government on adhoc or contract basis shall not qualify for benefits under the aforesaid Scheme. The details of the MACP Scheme and conditions for grant of the financial upgradation under the Scheme are given in **Annexure-I**.

Cont...p-2/-

4. A Screening Committee shall be constituted in each Department to consider the case for grant of financial upgradations under the MACP Scheme. The Screening Committee shall consist of a Chairperson and two members. The members of the Committee shall comprise officers holding posts which are at least one level above the level in which the MACP is to be considered and not below the rank of Under Secretary equivalent in the Government. The Chairperson should generally be a level above the members of the Committee.

5. In cases where the Appointing Authority is the President and the Screening Committee is constituted in the Secretariat of the Ministry/Department, then the power to approve the recommendations of the Screening Committee is delegated to the Secretary of such Ministry or Department. In cases where the Appointing Authority is the President and the Screening Committee is constituted in an organization (for e.g., field office, attached/subordinate office, etc), then the power to approve the recommendations of the Screening Committee is delegated to the Head of such organization. In all other cases, the power to approve the recommendations of the Screening Committee shall be with the Appointing Authority.

6. In order to prevent undue strain on the administrative machinery, the Screening Committee shall follow a time-schedule and meet twice in a financial year. Accordingly, cases maturing during the first-half of a particular financial year (April-September) shall be taken up for consideration by the Screening Committee meeting in the first week of January. Similarly, the Screening Committee meeting in the first week of July shall process the cases that would be maturing during the second-half of the financial year (October-March).

7. In so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.

8. Any interpretation/clarification of doubt as to the scope and meaning of the provisions of the MACP Scheme shall be given by the Department of Personnel and Training (Establishment-D). The MACP Scheme continues to be effective from 01.09.2008.

9. No stepping up of pay in the level would be admissible with regard to junior getting more pay than the senior on account of pay fixation under MACP Scheme.

10. Hindi version will follow.



(A. Bhattacharya)  
Deputy Secretary to the Govt. of India

**To**

**All Ministries/Departments of the Government of India**

**Copy to:-**

1. President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Supreme Court/Rajya Sabha Secretariat/Lok Sabha Secretariat/ Cabinet Secretariat/ UPSC/ CVC/ C&AG/Central Administrative Tribunal (Principal Bench), New Delhi.
2. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3. Secretary, National Commission for Minorities.
4. Secretary, National Commission for Scheduled Castes/Scheduled Tribes
5. Secretary, Staff Side, National Council OCM), 13-C, Ferozeshah Road, New Delhi
6. All Staff Side Members of the National Council (JCM)
7. Establishment (D) Section - 10 copies
8. N1C, DoPT, North Block for up-loading of the OM in DoPT website.

Cont...p-4/-

O.M. No.35034/3/2015-Estt.(D) dated 22.10.2019

1. There shall be three financial upgradations under the MACPS, counted from the direct entry grade on completion of 10, 20 and 30 years services, respectively, or 10 years of continuous service in the same Level in Pay Matrix, whichever is earlier.
2. The MACPS envisages merely placement in the immediate next higher level in the hierarchy of the Pay Matrix as given in PART A of Schedule of the CCS (Revised Pay) Rules, 2016. Thus, the level at the time of financial upgradation under the MACPS can, in certain cases where regular promotion is not between two successive Pay Levels, be lower than what is available at the time of regular promotion. In such cases, the higher level attached to the next promotion post in the hierarchy of the concerned cadre/organisation will be given only at the time of regular promotion.
3. The financial upgradations under the MACPS would be admissible up-to level 15 in the Pay Matrix, corresponding to the Higher Administrative Grade (HAG).
4. (i) Benefit of pay fixation available at the time of regular promotion shall also be allowed at the time of financial upgradation under the Scheme [as prescribed in Para 13 of CCS(Revised Pay Rules), 2016].  
(ii) There shall, however, be no further fixation of pay at the time of regular promotion if it is in the same pay level as granted under MACPS.  
(iii) However, at the time of actual promotion if it happens to be in a post carrying higher pay level than what is available under MACPS, then he shall be placed in the level to which he is promoted at a cell in the promoted level equal to the figure being drawn by him on account of MACP. If no such cell is available in the level to which promoted, he shall be placed at the next higher cell in that level. The employee may have an option to get this fixation done either on the date of promotion or w.e.f. the date of next increment as per the option to be exercised by him.
5. Promotions earned/upgradation granted under the MACP Scheme in the past to those grades which are in the same Level in the Pay Matrix due to merger of pay scales/upgradations of posts recommended by the Seventh Pay Commission shall be ignored for the purpose of granting upgradations under Modified ACPS. The benefit of merger will accrue w.e.f. the date of notification of the Recruitment Rules for the relevant post.

6. Fixation of pay on grant of financial upgradation under MACPS on or after 01.01.2016 shall be made as per Rule 13 of CCS (RP) Rules, 2016 issued vide Department of Expenditure notification dated 25<sup>th</sup> July, 2016 and in terms of provisions contained in DoP&T OM No. 13/02/2017-Estt.(Pay-I) dated 27.07.2017.

6.1 In cases where financial upgradation had been granted to Government Servants in the next higher Grade Pay in the hierarchy of Grade Pays as per the provisions of the MACP Scheme of 19<sup>th</sup> May, 2009, but whereas as a result of the implementation of Seventh CPC's recommendations, substantive post held by him in the hierarchy of the cadre has been upgraded by granting a higher Pay Level, in such cases the MACP already granted to him prior to 7<sup>th</sup> CPC shall be refixed in the revised pay structure at the next higher level of Pay Matrix. To illustrate, in the case of Postal Inspector (GP 4200/-) in Department of Posts, who was granted 1<sup>st</sup> MACP in the Grade Pay of Rs. 4600/- in PB-2, he will now be granted (grade pay of Rs 4800 in the pay band PB-2) Level 8 of the Pay Matrix consequent upon upgradation of the post of Postal Inspector from GP of Rs. 4200 to GP of Rs. 4600/Level 7 in the Pay Matrix. However, all the financial upgradations under the Scheme should be done strictly in accordance with the hierarchy of Levels in the Pay Matrix as notified vide CCS (Revised Pay) Rules, 2016.

7. With regard to fixation of his pay on grant of promotion/financial upgradation under MACP Scheme, a Government servant has an option under FR22 (1) (a) (1) to get his pay fixed in the higher post/ Pay Level either from the date of his promotion/upgradation or from the date of his next increment viz. 1<sup>st</sup> July or 1<sup>st</sup> January, subject to provisions in the Scheme.

8. Promotions earned in the post carrying same Pay Level in the promotional hierarchy as per Recruitment Rules shall be counted for the purpose of MACPS.

9. 'Regular service' for the purposes of the MACPS shall commence from the date of joining of a post in direct entry grade on a regular basis either on direct recruitment basis or on absorption/re-employment basis. Service rendered on casual, adhoc/contract basis before regular appointment on pre-appointment training shall not be taken into reckoning. However, past continuous regular service in same/another Central Government Department in a post carrying same pay level in the Pay Matrix prior to regular appointment in a new Department, without a break, shall also be counted towards qualifying regular service for the purposes of MACPS only (and not for the regular promotions). However, benefits under the MACPS in such cases shall not be considered till the satisfactory completion of the probation period in the new post.

10. Past service rendered by a Central Government employee in a State Government/Statutory Body/Autonomous body/Public Sector organization, before appointment in the Central Government shall not be counted towards Regular Service.

11. 'Regular service' shall include all periods spent on deputation/foreign service, study leave and all other kinds of leave, duly sanctioned by the competent authority.

12. The MACPS shall also be applicable to work charged employees, if their service conditions are comparable with the staff of regular establishment.

13. Existing time-bound promotion scheme, including in-situ promotion scheme, or any other kind of promotion scheme existing for a particular category of employees in a Ministry/Department or its offices, may continue to be operational for the concerned category of employees, if it is decided by the concerned administrative authorities to retain such Schemes, after necessary consultations or they may switch-over to the MACPS. However, these Schemes shall not run concurrently with the MACPS.

14. The MACPS is directly applicable only to Central Government Civilian employees. The Scheme may be extended to employees of Central Autonomous/Statutory Bodies under the administrative control of a Ministry/Department subject to fulfillment of conditions prescribed in DOPT's OM No. 35034/3/2010-Estt.(D) dated 03.08.2010.

15. If a financial upgradation under the MACPS is deferred and not allowed after 10 years in a level, due to the reason of the employees being unfit or due to departmental proceedings, etc., this would have consequential effect on the subsequent financial upgradation which would also get deferred to the extent of delay in grant of first financial upgradation.

16. On grant of financial upgradation under the Scheme, there shall be no change in the designation, classification or higher status. However, financial and certain other benefits which are linked to the pay drawn by an employee such as HBA, allotment of Government accommodation shall be permitted.

17 (i). For grant of financial upgradation under the MACP Scheme, the prescribed Benchmark shall be 'Very Good', for all levels. This shall be effective for upgradations under MACPS falling due on or after 25.07.2016 and the revised benchmark shall be applicable for the APARs for the year 2016-17 and subsequent years.



17(ii). While assessing the suitability of an employee for grant of MACP, the Departmental Screening Committee (DSC) shall assess the APARs in the reckoning period. The benchmark for the APARs for the years 2016-17 and thereafter shall be 'Very Good'. The benchmark for the years 2015-16 and earlier years shall continue be as per the MACP guidelines issued vide DoPT O.M. dated 19.05.2009:

“The financial upgradation would be non-functional basis subject to fitness in the hierarchy of grade pay within the PB-I. Thereafter for upgradation under the MACPS the benchmark of 'good' would be applicable till the grade pay of Rs. 6600/- in PB-3. The benchmark will be 'Very Good' for financial upgradation to the grade pay of Rs. 7600 and above.”

For example, if a particular MACP falls due on or after 25.07.2016, the following benchmarks for APARs are applicable:

APAR for the year	Benchmark grading for MACP for Level 11 and below	Benchmark grading for MACP for Level 12 and above
2013-14 and earlier years	Good	Very Good
2014-15	Good	Very Good
2015-16	Good	Very Good
2016-17	Very Good	Very Good
2017-18 and subsequent years	Very Good	Very Good

18. In the matter of disciplinary/ penalty proceedings, grant of benefit under the MACPS shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of the CCS (CCA) Rules, 1965 and instructions issued thereunder.

19. The MACPS contemplates merely placement on personal basis in the immediate higher Pay Level /grant of financial benefits only and shall not amount to actual/functional promotion of the employees concerned. Therefore, no reservation orders/roster shall apply to the MACPS, which shall extend its benefits uniformly to all eligible SC/ST employees also. However, the rules of reservation in promotion shall be ensured at the time of regular promotion. For this reason, it shall not be mandatory to associate members of SC/ST in the Screening Committee meant to consider cases for grant of financial upgradation under the Scheme.

20. Financial upgradation under the MACPS shall be purely personal to the employee and shall have no relevance to his seniority position. As such, there shall be no additional financial upgradation for the senior employees on the ground that the junior employee in the grade has got higher pay/ Level under the MACPS. However, in cases where a senior Government servant granted MACP to a higher Grade Pay before the 1<sup>st</sup> day of January, 2016 draws less pay in the revised pay structure than his junior who is granted MACP to the higher Level on or after the 1<sup>st</sup> day of January, 2016, the pay of senior Government servant in the revised pay structure shall be stepped up to an amount equal to the pay as fixed for his junior in that higher post and such stepping up shall be done with effect from the date of MACP of the junior Government servant subject to the fulfillment of the following conditions, namely:-

- (a) both the junior and the senior Government servants belong to the same cadre and they are in the same pay Level on grant of MACP;
- (b) the existing pay structure and the revised pay structure of the lower and higher posts in which they are entitled to draw pay are identical;
- (c) the senior Government servants at the time of grant of MACP are drawing equal or more pay than the junior;
- (d) the anomaly is directly as a result of the application of the provisions of Fundamental Rule 22 or any other rule or order regulating pay fixation on such grant of MACP in the revised pay structure:

Provided that if the junior officer was drawing more pay in the existing pay structure than the senior by virtue of any advance increments granted to him, the provisions of this sub rule shall not be invoked to step up the pay of the senior officer.

21. Pay drawn in the level of Pay Matrix under the MACPS shall be taken as the basis for determining the terminal benefits in respect of the retiring employee.

22. In case an employee is declared surplus in his/her organisation and appointed in the same pay-scale or lower scale of pay in the new organization, the regular service rendered by him/her in the previous organisation shall be counted towards the regular service in his/her new organisation for the purpose of giving financial upgradation under the MACPS.

23. In case of transfer 'including unilateral transfer on request', regular service rendered in previous organisation/office shall be counted alongwith the regular service in the new organisation/office for the purpose of getting financial upgradations under the MACPS. However, financial upgradation under the MACPS shall be allowed in the immediate next higher Pay Level in the Pay Matrix as given in CCS (Revised Pay) Rules, 2016. Wherever an official, in accordance with terms and conditions of transfer on own volition to a lower post, is reverted to the lower Post/ Grade from the promoted Post/ Pay Level before being relieved for the new organisation/office, such past promotion in the previous organisation/ office will be ignored for the purpose of MACPS in the new organisation/office.

24. If a regular promotion has been offered but was refused by the employee before becoming entitled to an upgradation under the scheme, no financial upgradation shall be allowed as the employee has not stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and in such case, the second or next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal of promotion.

25. Cases of persons holding higher posts purely on adhoc basis shall also be considered by the Screening Committee alongwith others. They may be allowed the benefit of financial upgradation on reversion to the lower post.

26. Employees on deputation need not revert to the parent Department for availing the benefit of financial upgradation under the MACPS. They may exercise a fresh option to either draw pay in the level of Pay Matrix attached to the post held by them on deputation or the pay in the pay level admissible to them under the MACPS, whichever is beneficial. In case, the employee opts to draw pay in the pay level admissible to him/her under the MACPS, the deputation (duty) allowance shall be regulated in terms of the instructions issued by DoPT vide O.M. No.2/11/2017-Estt.(Pay II) dated 24.11.2017, as amended from time to time.

#### 27. **Illustrations**

A. (i) If a Government servant in Level 2 gets his first regular promotion in the Level 4 on completion of 8 years of service and then continues in the Level for further 10 years without any promotion then he would be eligible for 2<sup>nd</sup> financial upgradation under the MACPS in the Level 5 after completion of 18 years (8+10 years).

(ii) (a) In case he does not get any promotion thereafter, then he would get 3<sup>rd</sup> financial upgradation in the Level 6 on completion of further 10 years of service i.e. after 28 years (8+10+10).


(ii) (b) However, if he gets 2<sup>nd</sup> promotion after 5 years of further service to the grade say in the Level 7 [i.e. on completion of 23 years (8+10+5years)], then he would get 3<sup>rd</sup> financial upgradation in Level 8 after completion of 30 years.

(iii)(a) If he gets 2<sup>nd</sup> promotion before 20<sup>th</sup> year (say 19<sup>th</sup> year), then he gets 3<sup>rd</sup> MACP, at the end of 29<sup>th</sup> year, (i.e. 10 years from 2<sup>nd</sup> promotion) provided he does not get 3<sup>rd</sup> promotion.

(iii)(b) If he gets 2<sup>nd</sup> promotion after 20<sup>th</sup> year (say in 23<sup>rd</sup> year), and there is no 3<sup>rd</sup> promotion before 30 years, then he may be allowed 3<sup>rd</sup> MACP at the end of 30 years.

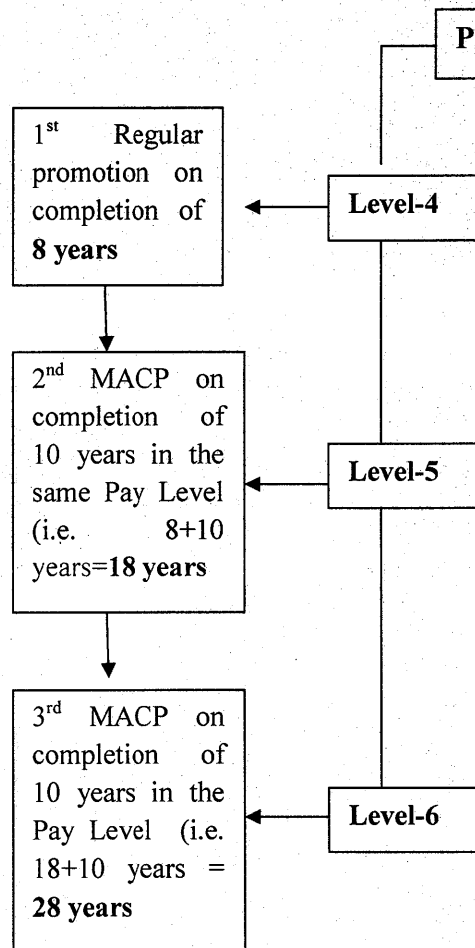
B. If a Government servant in Level 2 is granted 1<sup>st</sup> financial upgradation under the MACPS on completion of 10 years of service in the Level 3 and 5 years later he gets 1<sup>st</sup> regular promotion in Level 4, the 2<sup>nd</sup> financial upgradation under MACPS (in the next level w.r.t. level held by Government servant) will be granted in Level 5 on completion of 20 years of service. On completion of 30 years of service, he will get 3<sup>rd</sup> MACP in the Level 6. However, if two promotions are earned before completion of 20 years, only 3<sup>rd</sup> financial upgradation would be admissible on completion of 10 years of service in Level from the date 2<sup>nd</sup> promotion or at 30th year of service, whichever is earlier

C. If a Government servant has been granted either two regular promotions or 2<sup>nd</sup> financial upgradation under the ACP Scheme of August, 1999 after completion of 24 years of regular service then only 3<sup>rd</sup> financial upgradation would be admissible to him under the MACPS on completion of 30 years of service provided that he has not earned third promotion in the hierarchy.

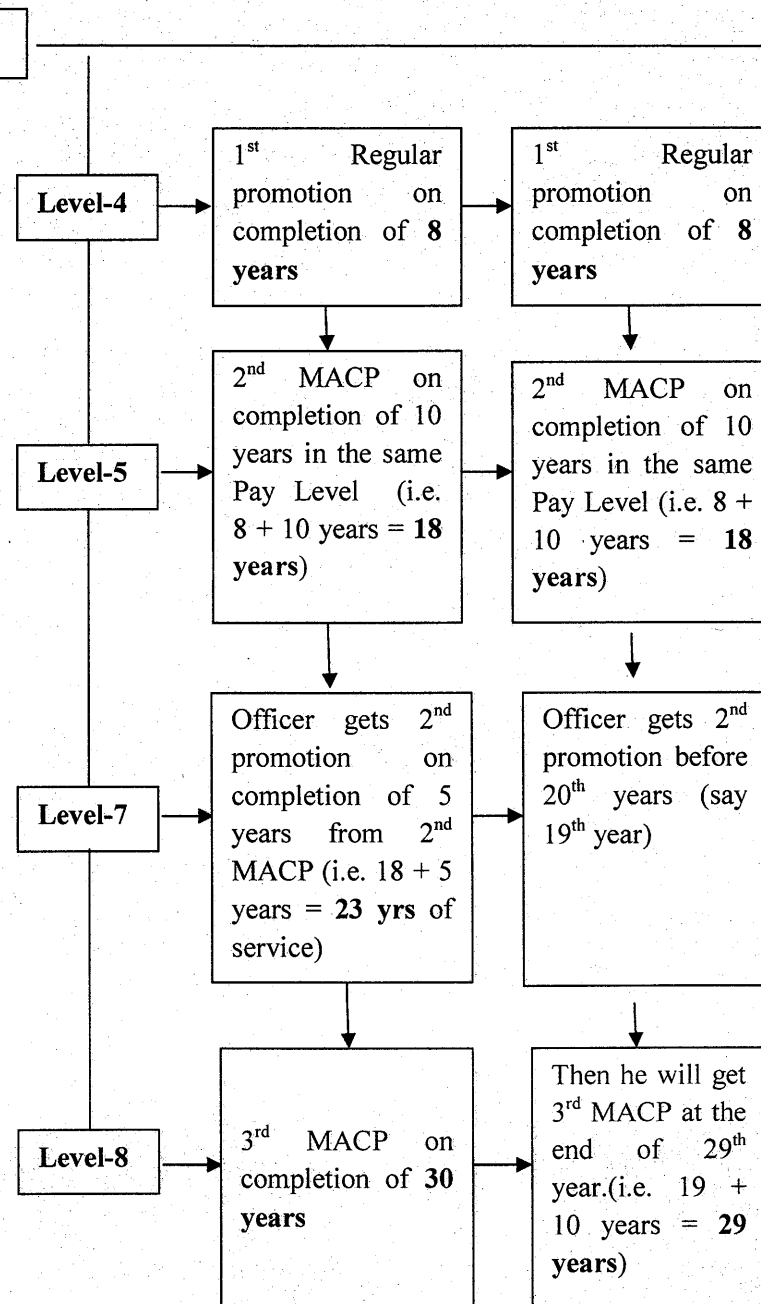
  
(A. Bhattacharya)  
Deputy Secretary

# ILLUSTRATIONS

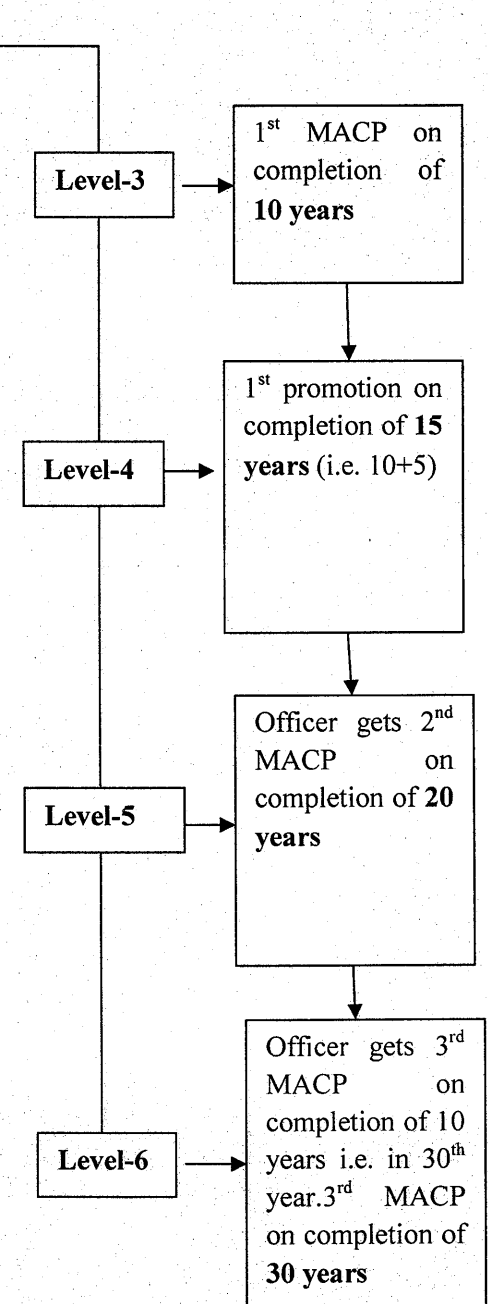
## Para 27 (A)(i)&(ii)(a)



## Para 27(A)(ii)(b)



## Para 27(A)(iii)(a)



## Para 27 (B)

RTI APPEAL DETAILS			
RTI Appeal Registration No. :	CCEBH/A/ E/24/00019	RTI Appeal Received Date :	16/07/2024
RTI Request Registration No. :	CCEBH/R/ E/24/00067	RTI Request Registration Date :	11/06/2024
Name :	rahul kumar	Gender :	Male
Address :	h.no. 5 vpo punjabkhordelhidelhi		
Pin Code :	110081		
State :	Delhi	Country :	India
Phone :	Details not provided	Mobile No :	+91-8882796784
Email :	rahuldhaniya365@gmail.com		
Status :	Rural	Educational Status :	
Citizenship :	Indian	Is Appellant below poverty line ? :	No
CPIO of Public Authority Approached :	35353	CPIO's Order/Decision Date :	Details not provided
CPIO's Order/Decision No. :	Details not provided		
Ground For Appeal :	Refused access to Information Requested		
Text of RTI First Appeal :	it was requested to provide the information in respect of applications received for processing for deputation and loan, but the department intentionally refused to give details mentioning that no such data/ record maintained in the office, the question of maintaining the report does not arise, as the matter pertains to day to day disposal and anyone can count it easily, therefore, it is once again requested to provide the details as desired in my RTI applications.		



कार्यालय मुख्य आयुक्त  
OFFICE OF THE CHIEF COMMISSIONER  
सी.जी.एसी. टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन  
C.G.S.T., CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE  
35-C, जी.एसी.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल  
35-C, GST BHAWAN, ADMINISTRATIVE AREA, ARERA HILLS, BHOPAL (M.P.)-462  
011

**Ph.0755-2765208, 2765903; Email: [ccu-cexbpl@nic.in](mailto:ccu-cexbpl@nic.in)**

**अपील आदेश संख्या/ ORDER IN APPEAL NO. 02/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एसी.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन, भोपाल द्वारा पारित)

**प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली -110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi IRS, First Appellate Authority / Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,

Shri Rahul Kumar

H.No. 5, VPO-Punjabkhor, Delhi-110081

Email- [rahuldhaniya365@gmail.com](mailto:rahuldhaniya365@gmail.com)

**ORDER IN APPEAL NO. 02/2024-25/APPEAL/RTI/CCO/BZ**

**Appellant:** Shri Rahul Kumar, H. No. 5, VPO-Punjabkhor, Delhi-110081

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**

The appellant had filed RTI application CCEBH/R/E/24/00067 dated 11.06.2024 on RTI portal under the provisions of the Right to Information Act 2005 with the CPIO, CCO Bhopal and sought following information:

**“Ref:** “Following information may be furnished to me under RTI Act 2005.

- a. number of application received in Group B Gazetted (from January 2022 to till date):
  - b. number of application received in Group B Non-Gazetted (from January 2022 to till date):
  - c. number of application received in Group C (from January 2022 to till date):
  - d. in respect of point (a), please provide the number of application which has been forwarded to the concerned authority timely:
  - e. in respect of point (b), please provide the number of application which has been forwarded to the concerned authority timely:
  - f. in respect of point (c), please provide the number of application which has been forwarded to the concerned authority timely:
  - g. in respect of point (a), please provide the number of application which has not been forwarded to the concerned authority timely:
  - h. in respect of point (b), please provide the number of application which has not been forwarded to the concerned authority timely:
  - i. in respect of point (c), please provide the number of application which has not been forwarded to the concerned authority timely:
  - j. in respect of point (d), grounds on which the applications have been forwarded to the concerned authority:
  - k. in respect of point (e), grounds on which the applications have been forwarded to the concerned authority:
  - l. in respect of point (f), grounds on which the applications have been forwarded to the concerned authority:
  - m. in respect of point (g), grounds on which the applications have not been forwarded to the concerned authority:
  - n. in respect of point (h), grounds on which the applications have not been forwarded to the concerned authority:
  - o. in respect of point (i), grounds on which the applications have not been forwarded to the concerned authority:
  - p. in respect of point (a), (b), (c), number of officer selected for deputation/ loan and relieved thereafter:
  - q. in respect of point (d), (e), (f), number of officer selected for deputation/loan and not relieved thereafter:
2. The CPIO, CCO Bhopal Zone vide letter dated 09.07.2024 provided the information to the applicant as under:

In this regard, it is informed that the data as sought in the RTI application is not maintained in the desired format. Therefore, the same cannot be provided.

**Grounds of appeal:**

3.1 Though the reply/information has been provided by the CPIO, CCO Bhopal to the applicant. The appellant felt that the CPIO has refused access to Information requested to him and contended as under-

*It was requested to provide the information in respect of applications received for processing for deputation and loan, but the department intentionally refused to give details mentioning that no such data/record maintained in the office, the question of maintaining the report does not arise, as the matter pertains to day to day disposal and anyone can count it easily, therefore it is once again requested to provide the details as desired in my RTI applications.*

3.2 Being aggrieved, the appellant had filed the instant appeal CCEBH/A/E/24/00019 dated 16.07.2024 before the First Appellate Authority.

**Reply of the CPIO, CCO Bhopal in response to RTI appeal CCEBH/A/E/24/00019 dated 16.07.2024 filed by the appellant:**

4. In this regard, comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal as received on the RTI portal is as under,

*"The comments have been submitted to your office vide letter C.No. GCCO/CCA/TRFR/10/2021-CCA-O/o CC-CGST-ZONE-BHOPAL dated 02.08.2024." The content of the reply letter is as under: -*

*It is submitted that the information sought by the Appellant is not maintained in the desired format. The information is voluminous and would have to be collated from several physical as well as e-office files. Therefore, the same can be provided to the Appellant by way of inspection of the relevant files.*

**Discussion & Findings:**

5. I have carefully gone through the facts and grounds of appeal filed by the appellant; and noticed that the CPIO, CCO, Bhopal Zone received the RTI application CCEBH/R/E/24/00067 from the appellant on 11.06.2024 through RTI portal. The CPIO, CCO, Bhopal Zone vide letter dated 09.07.2024 provided the information to the applicant. The appellant felt that the CPIO has not provided the desired information to him.

6. In connection with the instant appeal CCEBH/A/E/24/00019 dated 16.07.2024, the information was not provided to applicant by the CPIO, CCO Bhopal. Hence, comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the Appellant. The CPIO, CCO Bhopal submitted his reply/comments on the matter.

7. The appellant felt that the CPIO has refused access to Information requested to him, Although CPIO had already informed appellant that the data as sought in the RTI application is not maintained in the desired format. Therefore, the same cannot be provided. However, when comments were sought from CPIO on this appeal, he reiterated his earlier position and submitted that requisite information may kindly be provided to the Appellant by way of inspection of the relevant files.

8. On the basis of facts before me, I proceed to decide the appeal.

In view of above, I pass the following order:

**Order**

1. In view of the above, the CPIO is directed to facilitate the inspection of the records by the appellant on a mutually convenient date and time within 15 days from the receipt of this order.
2. The RTI appeal CCEBH/A/E/24/00019 dated 16.07.2024 filed by appellant is accordingly disposed off in the above terms.

Signed by

Faraz Ahmad Qureshi

Date: 07-08-2024 12:31:14  
(Faraz Ahmad Qureshi)

First Appellant Authority &  
Additional Commissioner  
(CCO)

Copy to:

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information and necessary compliance please.
2. Guard File

First Appellant Authority &  
Additional Commissioner (CCO)

**कार्यालय मुख्य आयुक्त****OFFICE OF THE CHIEF COMMISSIONER****सी.जी.एस.टी., केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन****C.G.S.T., CENTRAL EXCISE & CUSTOMS, BHOPAL ZONE****35-C, जी.एस.टी. भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल****35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal (M.P.)-462 011****Ph.0755-2765208, 2765903; Email: ccu-cexbpl@nic.in; ccobhopal@gmail.com**

I/2190746/2024

Bhopal, Date: 07-08-2024

Through E-mail

To,

Shri Rahul Kumar

H.No. 5, VPO - Punjabkhor, Delhi-110081

Email- rahuldhaniya365@gmail.com

Sir,

**Sub: Your RTI Appeal CCEBH/A/E/24/00019 dated 16.07.2024 and Order In Appeal No. 02/2024-25/APPEAL/RTI/CCO/BZ dated 07.08.2024 passed by the First Appellant Authority & Additional Commissioner (CCO), Bhopal-reg.**

Please refer to your RTI Appeal No. CCEBH/A/E/24/00019 dated 16.07.2024 for providing information.

In this regard, in accordance with Order in Appeal no. 02/2024-25/APPEAL/RTI/CCO/BZ dated 07.08.2024 (copy enclosed) passed by the First Appellant Authority & Additional Commissioner (CCO), Bhopal, it is informed that requisite information is voluminous. Hence you may carry out inspection of the concerned file(s) during office hours on any working day within 15 days of the receipt of this letter, as per provisions of the Act, with prior intimation. For this you may contact Shri S. K. Kaushal, Assistant Commissioner, CCO (Tel No.-9425378762).

Encl:- As above

Signed by

Sunil Kumar Kaushal

SUNIL KUMAR KAUSHAL, Assistant Commissioner(SKK)-CCO-  
Bhopal, DC/AC-1-O/o Chief Commissioner-CGST-Zone-Bhopal  
ASSISTANT COMMISSIONER (CCO/CPIO)

Date: 07-08-2024 16:33:50

Copy to the Addl. Commissioner, FAA, CCO, Bhopal w.r.t. the OIA dt. 07.08.2024, for kind information, please

RTI APPEAL DETAILS (आरटीआई अपील विवरण)			
Appeal Registration Number (अपील पंजीकरण संख्या) :	CCEBH/A/E/24/00025	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	21/08/2024
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	CCEBH/R/T/23/00052	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	02/03/2023
Name (नाम) :	Shailesh	Gender (लिंग) :	Male
Address (पता) :	29 Prithvi NagarMORARGwalior		
Pin code (पिन कोड) :	474006		
State (राज्य) :	Madhya Pradesh	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-8860237738	Mobile Number (मोबाईल नंबर) :	+91-8860237738
Email-ID (ईमेल-आईडी) :	scchats@gmail.com		
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) :	Above Graduate
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
CPIO Approached (संपर्क सीपीआईओ) :	35353	Date of Receipt of CPIO's Order/Decision(सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No.(सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided		
Ground for Appeal(अपील का आधार) :	No Response Within the Time Limit		
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ) :	Kindly provide reply.		



	<p style="text-align: center;">कार्यालय मुख्य आयुक्त OFFICE OF THE CHIEF COMMISSIONER सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE 35-C, जी.एस.टी .भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.) 35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal</p> <p style="text-align: center;">Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	--	---

**अपील आदेश संख्या/ ORDER-IN-APPEAL NO. 04/2024-25/APPEAL/RTI/CCO/BZ**

(श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी, प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन, भोपाल द्वारा पारित )

**प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है (यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपीलकर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नई दिल्ली -110067 के सामने एक अपील दर्ज कर सकता है। अपील केंद्रीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

**PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
Shri Shailesh,  
29, Prithvi Nagar,  
Morar, Gwalior-474006  
Email: [scchats@gmail.com](mailto:scchats@gmail.com)

**Order In Appeal No. 04 /2024-25/APPEAL/RTI/CCO/BZ**

**Passed in RTI Appeal No. CCEBH/A/E/24/00025**

**Appellant:** Shri Shailesh, 29, Prithvi Nagar, Morar, Gwalior.

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**

The appellant had filed RTI application CCEBH/R/T/23/00052 dated 02.03.2023 on RTI portal under the provisions of the Right to Information Act 2005 with the CPIO, CCO Bhopal and sought following information:

- “1. PERCENTAGE of HRA being paid in Greater Noida area to your staff posted there. Is it 8/16/24 %?*
- 2. AREA wise, If it is in X or Y or Z area*
- 3. The government authority LETTER of the area it is falling into.*
- 4. The YEAR from which Greater Noida has fallen in this area.”*

2. The appellant was given reply by the Respondent/CPIO vide his letter dated 09.03.2023 informing him that no such information was available.

**Grounds of appeal:**

3.1. Though the reply/information has been provided by the CPIO, CCO Bhopal to the appellant, the appellant felt that the CPIO has not provided the details and that no response was given within the time limit.

3.2 Being aggrieved, the appellant had filed the instant appeal CCEBH/A/E/24/00025 dated 21.08.2024 before the First Appellate Authority.

**Reply of the CPIO, CCO Bhopal in response to the instant Appeal:**

4. In this regard, comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal as received on the RTI portal is as under:

*“It is submitted that no officer from this zone is posted at Greater Noida on loan or deputation basis, therefore, the desired information is not related. Hence cannot be provided.”*

**Discussion & Findings:**

5. I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the CPIO, CCO, Bhopal Zone received the RTI application CCEBH/R/T/23/00052 from the appellant on 02.03.2023 through RTI portal. The CPIO, CCO, Bhopal Zone vide letter dated 09.03.2023 provided the reply to the appellant. The appellant felt that the CPIO has not provided the desired information to him.

6. In connection with the instant appeal CCEBH/A/E/24/00025 dated 21.08.2024, comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the Appellant. The CPIO, CCO Bhopal has submitted his reply/comments on the matter as mentioned above.

7. I find that the CPIO had provided reply to the RTI Application of the appellant within the prescribed time limits that the desired information is not available in this office. However, comments were again sought from CPIO with respect to the appeal filed by the appellant to which the CPIO reiterated his earlier reply and submitted that since no officer from this zone is posted in Greater Noida, therefore, the desired information could not be provided.

8. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

**Order**

1. In view of the above, I don't find any infirmity in the reply dated 09.03.2023 given by the CPIO against the RTI application dated 02.03.2023 filed by the appellant. However, the CPIO may again inform the appellant that no officer from this zone is posted in Greater Noida, within 07 days of the issuance of this order.
2. The RTI appeal CCEBH/A/E/24/00025 dated 21.08.2024 filed by appellant is accordingly disposed off in the above terms.

Signed by

Faraz Ahmad Qureshi

Date: 13-09-2024 11:24:42  
(Faraz Ahmad Qureshi)

First Appellant Authority &  
Additional Commissioner (CCO)

**Copy to:**

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information and n/a please.
2. Guard File

First Appellant Authority &  
Additional Commissioner (CCO)

RTI APPEAL DETAILS (आरटीआई अपील विवरण)		
Appeal Registration Number (अपील पंजीकरण संख्या) :	CCEBH/A/E/24/00029	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) : 28/09/2024
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	CCEBH/R/E/24/00103	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) : 01/09/2024
Name (नाम) :	Atul Singh	Gender (लिंग) : Male
Address (पता) :	Flat No. 45, Block C Green Valley Apartments Mayur Vihar Phase-1 New Delhi	
Pin code (पिन कोड) :	110091	
State (राज्य) :	Delhi	Country (देश) : India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) : Details not provided
Email-ID (ईमेल-आईडी) :	atulsingh000811@gmail.com	
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) : Above Graduate
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) : No
CPIO Approached (संपर्क सीपीआईओ) :	35353	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) : Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided	
Ground for Appeal (अपील का आधार) :	Provided Incomplete, Misleading or False Information	
Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ) :	Subject: First Appeal under RTI Act, 2005 - Against Incomplete/Unsatisfactory Response to RTI Application No. CCEBH/R/E/24/00103 dated 01.09.2024. Respected Sir/Madam,	

I, Atul Singh, hereby file this appeal under Section 19(1) of the RTI Act, 2005 against the response provided by the CPIO in respect to my RTI Application dated 01.09.2024. I am dissatisfied with the reply received for the following reasons:

1. Regarding Point No. 1: The Seniority List has been provided, but there is no clarification or relevant information provided on whether the principles of consequential seniority, as amended by the 85th Constitutional Amendment, 2001 have been taken into account or not. I request a detailed clarification on this matter.

2. Regarding Point No. 2: The response states that instructions from DoP&T are incorporated. However, neither the copies of instructions issued by the DoP&T are provided nor they mentioned any references of the instructions which is used while preparing the above seniority list of Superintendents of Bhopal Zone. Further, the reply appears incomplete as I specifically requested to provide that “Whether the 85th Constitutional Amendment’s provisions Include any official circulars, guidelines, or correspondence that guided the preparation of the seniority list without considering the amended provisions or any Supreme Court Final Judgement in the similar matter on which the present seniority list has been prepared have been included.”

3. Regarding Point No. 3: Reply of your office is that “The information sought does not fall under Section 8(1)(j) of the RTI Act, 2005”. As it pertains to the decision-making process related to a seniority list and does not invade any individual’s privacy. I again request to provide the name or designation of the officer authority who approved and finalized the above seniority list of Superintendents for the period 01.01.2016 to 31.12.2020.

4. Regarding Point No. 4: The documents are stated to be available on the DoP&T website. However, this does not directly address the query about the specific rules followed in the preparation of the seniority list of Superintendents for the period 01.01.2016 to 31.12.2020 in question. I again request to provide copies of any such specific instructions or policies considered during making the said seniority list.

5. Regarding Point No. 5: The response states no communication has occurred. However, I seek a more detailed information on whether any relevant communication like instructions, directions issued from the department i.e. Central Board of Indirect Taxes, Delhi, Ministry of Finance, Dept. Of Revenue or DGHRD, New Delhi received in Bhopal Zone on which the above seniority list of Superintendents for the period 01.01.2016 to 31.12.2020 has been prepared.

I request you to kindly review my appeal and direct the CPIO to provide a complete and satisfactory information under the RTI, Act, 2005 as requested above.

Thank you.

	<p>कार्यालय मुख्य आयुक्त OFFICE OF THE CHIEF COMMISSIONER सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल ज़ोन C.G.S.T., CENTRAL EXCISE &amp; CUSTOMS, BHOPAL ZONE 35-C, जी.एस.टी .भवन, प्रशासनिक क्षेत्र, अरेरा हिल्स, भोपाल (म.प्र.) 35-C, GST Bhawan, Administrative Area, Arera Hills, Bhopal Tel. No. 0755-2765208 Email: <a href="mailto:ccu-cexbpl@nic.in">ccu-cexbpl@nic.in</a></p>	
---	---	---

### **अपीलआदेशसंख्या/ ORDER-IN-APPEAL NO. 07/2024-25/APPEAL/RTI/CCO/BZ**

)श्री फ़राज़ अहमद कुरैशी, भारतीय राजस्व सेवा अधिकारी,प्रथम अपीलीय प्राधिकारी तथा अपर आयुक्त, कार्यालय मुख्य आयुक्त, सी.जी.एस.टी, केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क, भोपाल जोन, भोपाल द्वारा पारित )

#### **प्रस्तावना**

- यह आदेश उस व्यक्ति के निजी उपयोग के लिए निःशुल्क दिया जाता है जिसे इसे जारी किया जाता है।
- यह आदेश सूचना के अधिकार अधिनियम, 2005 की धारा 19(1) के तहत दायर अपील के आधार पर धारा 19 के तहत पारित किया जा रहा है(यहां बाद में 'अधिनियम' के रूप में संदर्भित किया गया है)।
- अगर अपील कर्ता इस आदेश से सहमत ना हो, तो वह मुख्य सूचना आयुक्त, बाबा गंगनाथ मार्ग, मुनीरका, नईदिल्ली -110067 के सामने एक अपील दर्ज कर सकता है। अपील के द्वीय सूचना आयोग (अपीलीय प्रक्रिया) नियम, 2005 के अनुसार दर्ज की जाएगी।

(Passed by Shri Faraz Ahmad Qureshi, IRS, First Appellate Authority/Additional Commissioner, Office of the Chief Commissioner, CGST, Central Excise & Customs, Bhopal Zone, Bhopal)

#### **PREAMBLE**

- This order is granted free of charge for the private use of the person to whom it is issued.
- This order is being passed under Section 19 on the basis of appeal filed under Section 19(1) of the Right to Information Act, 2005 (here-in-after referred to as the 'Act').
- In case appellant is aggrieved by this order, he/she may file an appeal before the Chief Information Commissioner, Baba Gang Nath Marg, Munirka, New Delhi - 110067. The appeal shall be filed as per the Central Information Commission (Appellate Procedure) Rules, 2005.

To,  
Shri Atul Singh,  
Flat No. 45, Block C,  
Green Valley Apartments,  
Mayur Vihar,  
Phase-1, New Delhi.



**Order InAppeal No. 07/2024-25/APPEAL/RTI/CCO/BZ**  
**Passed in RTI Appeal CCEBH/A/E/24/00029 Dated 28.09.2024**

**Appellant:** Shri Atul Singh, Flat No. 45, Block C, Green Valley Apartments, Mayur Vihar, Phase-1, New Delhi.

**Respondent:** Shri Sunil Kumar Kaushal, CPIO/Assistant Commissioner, CCO, Bhopal Zone, Bhopal.

**Brief facts of the Case:**

The appellant had filed RTI application bearing no. CCEBH/R/E/24/00103 on RTI portal on 01.09.2024 under the provisions of the Right to Information Act, 2005 with the CPIO, CCO Bhopal and sought following information with reference to All India Draft Seniority list of Superintendent of CGST & Central Excise appointed to the grade during the period from 01.01.2016 to 31.12.2020:

*“1. Details of the Seniority List: Please provide a copy of the seniority list of superintendents during the period from 01.01.2016 to 31.12.2020 prepared by your department. I am specifically interested in understanding how the list has been prepared and whether the principles of consequential seniority, as amended by the 85th Constitutional Amendment, have been taken into account.*

*2. Compliance with the 85th Constitutional Amendment: If consequential seniority has not been considered while preparing the seniority list, please provide the reasons for the non-compliance with the 85th Constitutional Amendment. Include any official circulars, guidelines, or correspondence that guided the preparation of the seniority list without considering the amended provisions or any Supreme Court Final Judgement in the similar matter on which the present seniority list has been prepared.*

*3. Details of the Officers Involved: Please provide the names and designations of the officers responsible for preparing the said seniority list. Additionally, provide details of the authority or committee that approved this list.*

*4. Policy Documents: Please provide copies of any policies, rules, regulations, or orders that your department follows in relation to the preparation of the aforesaid draft seniority list from 01.01.2016 to 31.12.2020 of Superintendents, specifically referring to the inclusion or exclusion of consequential seniority as per the 85th Constitutional Amendment.*

*5. Communication with Higher Authorities: Please provide copies of any communication, memos, or directives received from higher authorities regarding the non-implementation of the 85th Constitutional Amendment in relation to the seniority list of superintendents.”*

2. The appellant was given following reply by the Respondent/CPIO vide letter dated 24.09.2024:

*“Point No. 1: A copy of Seniority list of Superintendent for the period from 1.1.2016 to 31.12.2020 has been enclosed herewith.*

*Point No. 2: The instructions issued by the DoP&T from time to time are incorporated while preparing the seniority lists.*

*Point No. 3: Information cannot be provided as it falls under the purview of Section 8(1)(j) of the RTI Act, 2005.*

*Point No. 4: The desired Documents/instructions issued by the DoP&T is available in Public Domain at the DoPT website [www.dopt.gov.in](http://www.dopt.gov.in) under the tab “O.M.s” and sub tab “Promotion/Seniority/MACP”. The URL of the said OM/Circular is <https://doptcirculars.nic.in/OM/ViewOM.aspx?id=164&headid=4>*

*Point No. 5: No such communication has occurred in this regard.*

**3. Grounds of appeal:** The appellant has filed the instant appeal dated 28.09.2024 on following grounds:

*“1. Regarding Point No. 1: The Seniority List has been provided, but there is no clarification or relevant information provided on whether the principles of consequential seniority, as amended by the 85th Constitutional Amendment, 2001 have been taken into account or not. I request a detailed clarification on this matter.*

*2. Regarding Point No. 2: The response states that instructions from DoP&T are incorporated. However, neither the copies of instructions issued by the DoP&T are provided nor they mentioned any references of the instructions which is used while preparing the above seniority list of Superintendents of Bhopal Zone. Further, the reply appears incomplete as I specifically requested to provide that “Whether the 85th Constitutional Amendment’s provisions include any official circulars, guidelines, or correspondence that guided the preparation of the seniority list without considering the amended provisions or any Supreme Court Final Judgment in the similar matter on which the present seniority list has been prepared have been included.*

*3. Regarding Point No. 3: Reply of your office is that “The information sought does not fall under Section 8(1)(j) of the RTI Act, 2005”. As it pertains to the decision-making process related to a seniority list and does not invade any individual’s privacy. I again request to provide the name or designation of the officer authority who approved and finalized the above seniority list of Superintendents for the period 01.01.2016 to 31.12.2020.*

*4. Regarding Point No. 4: The documents are stated to be available on the DoP&T website. However, this does not directly address the query about the specific rules followed in the preparation of the seniority list of Superintendents for the period 01.01.2016 to 31.12.2020 in question. I again request to provide copies of any such specific instructions or policies considered during making the said seniority list.*

*5. Regarding Point No. 5: The response states no communication has occurred. However, I seek a more detailed information on whether any relevant communication like instructions, directions issued from the department i.e. Central Board of Indirect Taxes, Delhi, Ministry of Finance, Dept. Of Revenue or DGHRD, New Delhi received in Bhopal Zone on which the above seniority list of Superintendents for the period 01.01.2016 to 31.12.2020 has been prepared.”*

**4. Reply of the CPIO, CCO Bhopal in response to the instant Appeal:** Comments were sought from the CPIO, CCO Bhopal on the appeal filed by the appellant. The reply of the CPIO, CCO Bhopal received is as under:

*i. Point No. 1: The applicant in his RTI Application had requested the Seniority List which was provided to him. However, the specific information/clarification sought in the appeal is neither held nor available in any material form in this Office, hence, the same could not be furnished.*

*ii. Point No. 2: The relevant Circulars/OMs/Instructions issued by DoP&T are available in the public domain and the URL has already been provided to the applicant.*

*iii. Point No. 3: The information desired by the appellant falls under the purview of Section 8(1)(j) of the RTI Act, 2005 as it is of personal nature and the RTI Application does not demonstrate any larger public purpose.*

*iv. Point No 4: The information sought by the applicant has already been provided.*

*v. Point No 5: The applicant has sought additional information in his RTI Appeal which was earlier not mentioned in the RTI Application. The appellant may file a separate RTI Application if he wants to obtain any additional information as it is not just for an to enlarge the scope of his RTI application at appeal stage.*

The CPIO has added that the appellant may also be given an option of visiting the office during office hours to inspect/examine any documents, if required

**5. Discussion & Findings:** I have carefully gone through the facts, grounds of appeal filed by the appellant and noticed that the CPIO, CCO, Bhopal Zone, vide his letter dated 24.09.2024, provided the reply to the RTI dated 01.09.2024 filed online on the RTI portal by the appellant. The appellant felt that the CPIO has provided Incomplete/Misleading or False information and therefore filed the instant appeal.

6. In connection with the instant appeal dated 28.09.2024; comments were called from the CPIO/Assistant Commissioner, CCO Bhopal seeking reply on the grounds of appeal raised by the appellant. The CPIO, CCO Bhopal has submitted the reply/comments in the matter as mentioned above.

7. On perusal of the comments submitted by the CPIO and RTI Application of the appellant, I find that the CPIO had already provided the desired information to the appellant vide letter dated 24.09.2024. I further find that,

- a) The appellant had asked only for the seniority list vide point no. 1 of RTI application, which was provided to him by the CPIO vide reply dated 24.09.2024. Further, the specific information/clarification sought in the point no. 1 of appeal is neither held nor available in any material form in this Office, hence, the same cannot be furnished.
- b) With reference to point no. 2 and 4 of the instant appeal, the CPIO had already provided the URL of the relevant Circulars/OMs/Instructions issued by DoP&T which are available in the public domain.
- c) The information asked vide point no. 03 of the RTI Application is of personal nature and does not demonstrate any larger public purpose. Therefore, same falls under the purview of Section 8(1)(j) of the RTI Act, 2005, and cannot be provided.
- d) Further, the appellant has sought additional information in point no. 5 of instant appeal which was earlier not mentioned in the RTI Application. Therefore, the appellant may

file a separate RTI Application if he wants to obtain any information, in addition to information sought by him vide his RTI Application dated 01.09.2024.

8. On the basis of facts before me, I proceed to decide the appeal. In view of the above, I pass the following order:

**Order**

I don't find any infirmity in the reply dated 24.09.2024 given by the CPIO against the RTI application dated 01.09.2024 filed by the appellant. However, I hold that if the appellant intends to seek some specific information related to the instant application, then he may be allowed to inspect the relevant records by visiting this office on any working day during the office hours with prior intimation.

The CPIO is hereby directed to extend the opportunity of inspection as above, within 15 days of the issuance of this order.

9. The RTI appeal bearing no. CCEBH/A/E/24/00029 dated 28.09.2024 filed by appellant is accordingly disposed- off in the above terms.

Signed by

Faraz Ahmad Qureshi

Date: 21-10-2024 17:04:24  
(Faraz Ahmad Qureshi)

First Appellate Authority &  
Additional Commissioner (CCO)

Copy to:

1. The CPIO/Assistant Commissioner, CCO Bhopal Zone for information please.
2. Guard File

First Appellate Authority &  
Additional Commissioner (CCO)