

प्रधान मुख्य आयुक्त कार्यालय  
केंद्रीय माल और सेवा कर,  
अहमदाबाद क्षेत्र  
जीएसटी भवन, राजस्व मार्ग,  
अम्बावाड़ी, अहमदाबाद- ३८००१५



Office of the  
Principal Chief Commissioner  
Central Goods & Services Tax,  
Ahmedabad Zone,  
GST Bhavan, Revenue Marg,  
Ambawadi, Ahmedabad- 380015

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**By Email**

क.	फाइलसंख्या	GCCO/RTI/APP/1885/2023-Tech
A.	File Number	GCCO/RTI/APP/1885/2023-Tech
ख.	मूलआदेशसंख्या	20/RTI (CCO)/AHD/2023-24
B.	Order in Original No.	20/RTI (CCO)/AHD/2023-24
ग.	पारितकर्ताअधिकारी	श्रीपंकजसिंह उपायुक्तएवंकेंद्रीयलोकसूचनाअधिकारी, कार्यालय, प्रधानमुख्यआयुक्तकेंद्रीयवस्तु एवंसेवाकर, अहमदाबादक्षेत्र.
C.	Passed by	Shri Pankaj Singh Deputy Commissioner & CPIO, Office of the Principal Chief Commissioner Central GST, Ahmedabad Zone.
घ.	आदेशजारीकरनेकीतारीख	#approved date#
D.	Date of order/Issue	#approved date#
ड.	आवेदककानामऔरपता	श्री तंदले नीलोबा ज्योतिबा फ्लैट नंबर 1202, ओम् साई सहकारी आवास सोसायटी, प्लॉट नंबर 23- सी, सेक्टर-07, खारघर, तालुका-पनवेल, जिला- रायगढ़, नवी मुंबई, पिन:410210
E.	Name and address of Applicant	ShriTandaleNeelobaJyotiba Flat No. 1202, AumSai Cooperative Housing Society, Plat No. 23- C, Sector-07, Kharghar, Taluka- Panvel, Dist-Raigharh, Navi Mumbai, Pin:410210

1. यहमूलआदेशसम्बंधितव्यक्तिकोनिशुल्कप्रदानकियाजाताहै।  
This Order-in-Original is granted to the concerned free of charge.
2. इसमूलआदेशद्वाराअसंतुष्टकोईभीव्यक्ति, सूचनाकाअधिकारअधिनियम, 2005 कीधारा19 (1) केअंतर्गतश्रीश्रीरामविशुनोई,संयुक्तआयुक्त(प्र. मु. आ. का.), केंद्रीयवस्तुएवंसेवाकर, अहमदाबादजोन, सातवींमंजिल, केंद्रीयजी.एस.टी. भवन, पॉलिटेक्निककेपास, अंबावाड़ी, अहमदाबादकेसमक्षअपीलदाखिलकरे |

Any person aggrieved by this Order-in-Original may file an appeal under section 19 (1) of the Right to Information Act, 2005 to ShriShreeramVishnoi, Joint Commissioner (PCCO), Central GST, Ahmedabad Zone, 7<sup>TH</sup> floor, Central GST Bhavan, Nr. Polytechnic, Ambawadi, Ahmedabad.

3. सूचनाकाअधिकारअधिनियम, 2005 कीधारा19 (1) केउपबंधोंकेअनुसार, इसआदेशकीप्राप्तिकीतारीखसे30 दिवसकेअंदरअपीलीयप्राधिकारीकेसमक्षअपीलदाखिल कीजानीहै।

Appeal shall be filed within thirty days from the date of receipt of this order in accordance with the provisions of section 19 (1) of the Right to Information Act, 2005, before the Appellate Authority.

### **OIO No. 20/RTI (CCO)/AHD/2022-23**

Findings and Order in respect of RTI Application dated **17-09-2023**, filed byShriTandaleNeelobaJyotibaseeking information under the provisions of Right toInformation Act, 2005, are asunder: -

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#### **1. Brief Facts: -**

An RTI Application, dated**17-09-2023**filed byShriTandaleNeelobaJyotiba(herein after referred to as the "Applicant")vide Registration No. **CCEAB/R/E/23/00068**, seeking information under the provisions of Right to Information Act, 2005, has been received by this office on **17-09-2023**.

2. The information sought by the applicant is as mentioned below: -

01)Kindly provide the E-way bills generated for the vehicle bearing registration number GJ-03-BZ-5198 from dated 01st Sept 2023 to 09th Sept 2023 along withdetailed toll cross movement for the vehicle bearing registration number GJ-03-BZ-5198?

02) Whether origin place of E-way bill generated and destination of E-way bill generated & corresponding toll movement for the vehicle bearing registration number GJ-03-BZ-5198 for date 01st Sept 2023 is in sync with or not?

03) If origin place of the vehicle movement and destination place of vehicle movement is not in the sync with E-way bill generated and corresponding toll movement for the vehicle bearing registration number GJ-03-BZ-5198 for the date 01st Sept 2023 to 09th Sept 2023, What action has been taken by your department too safeguard revenue of the nation?

04) If destination place of the vehicle bearing registration number GJ-03-BZ-5198 as per E-way bill generated for the vehicle bearing registration number GJ-03-BZ-5198 on 01st Sept 2023 and as per corresponding toll movement for the vehicle bearing registration number GJ-03-BZ-5198 is not same after 01st Sept 2023 from this can it be considered that goods are being supplied at a different place than the place it is meant to be delivered as per E-way bill generated on 01st Sept 2023 for the vehicle bearing registration number GJ-03-BZ-5198?

Kindly provide answers to the above questions along with detailed print out of E-way bill for the vehicle bearing registration number GJ-03-BZ-5198 for the period 01st Sept 2023 to 09th Sept 2023 and also provide corresponding toll movement for the vehicle bearing registration number GJ-03-BZ-5198 from 01st Sept 2023. RTI applicant will pay whatever charges required for taking the prints of required documents.

3. Parawise/pointwise reply, as per data available with this office is as under:

**01)**-The Eway-bills contains various Business details / information of buyer and Seller viz. the identity, goods along with their agreed price, their transporter etc. and thus information including commercial confidence, the disclosure of which would harm the competitive position of a third party. Further, the information sought by the appellant pertains to personal information of the third party concerned, disclosure of which would not serve any larger public interest. Hence, information sought is exempted from disclosure under Section 8(1)(d), 8(1) (j) read with Section 11 of the RTI Act .

**02 to 04)** - On going through the above, it is observed that the queries of the appellant are interrogative and in the nature of eliciting opinion. By way of instant queries, it is noted that the appellant is seeking clarifications and opinions of the CPIO. The Commission in a catena of judgments has held that the queries did not conform to the mandate of Section 2(f) of the RTI Act, 2005 which is reproduced below:

“information” means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, report, 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.”

Furthermore, a reference is made to the relevant extract of Section 2 (j) of the RTI Act, 2005 which reads as under:

“(j) right to information” means the right to information accessible under this Act which is held by or under the control of any public authority and includes ”

In this context a reference is drawn to the Hon'ble Supreme Court decision in 2011 (8) SCC 497 (CBSE Vs. AdityaBandopadhyay), wherein it was held as under:

35..... "It is also not required to provide 'advice' or 'opinion' to an applicant, nor required to obtain and furnish any 'opinion' or 'advice' to an applicant. The reference to 'opinion' or 'advice' in the definition of 'information' in section 2(f) of the Act, only refers to such material available in the records of the public authority. Many public authorities have, as a public relation exercise, provide advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act."

Therefore, in view of the above, any reply is not being furnished with respect to point **02 to 04** .

4. If the applicant is not satisfied with this order, he may file an appeal under Section 19(1) of the RTI Act, 2005 before the Appellate Authority i.e. ShriShreeramVishnoi, Joint Commissioner (PCCO), Central GST, Ahmedabad Zone having his office at 7<sup>th</sup> Floor, Central GST Bhavan, Nr. Polytechnic, Ambawadi, Ahmedabad-380 015 within 30 days from the date of receipt of this order.

Deputy Commissioner & CPIO

Copy to:

- (I) ShriTandaleNeelobaJyotiba, Flat No. 1202, AumSai CooperativeHousing Society, Plat No. 23-C, Sector-07, Kharghar, Taluka- Panvel, Dist-Raigarh, NaviMumbai, Pin:410210on provided email ID :tandaleneeloba@gmail.com
- (II) The Superintendent (Systems), PCCO, CGST & Central Excise, Ahmedabad Zone with a request to upload the information on the website.