

**F. No. 13-39/CESTAT/CPIO-ND/VPP/2018**  
**Customs, Excise and Service Tax Appellate Tribunal**  
**West Block No. 2, R.K. Puram, New Delhi-110 066**

**CPIO ID No. 13-39/20**

Subject: Information under Right to Information Act 2005.


Sir/Madam,

Please refer to your RTI application No. NIL dated 11.05.2018, received by transfer from U.S. Ad.1C, in this office on 11.06.2018, under RTI Act 2005, the information received from the officer concerned **T. O. I/C Central Registry, Sh. Sunil Kumar** whose section maintains the details of pending filing and disposal etc. containing 01 pages is enclosed herewith for your reference please.

Therefore, you are requested to please acknowledge the receipt and deposit Rs. NIL (@ 2/- per page) to this Tribunal by cash or DD in favour of Accounts Officer, CESTAT, New Delhi.

**Note:**

1. If aggrieved, you may file an appeal under section 19 of RTI Act within thirty days before Hon'ble First Appellate Authority, CESTAT New Delhi.

  
CESTAT, New Delhi  
Date: 28.06.2018

To

1. Sh. Anand Krishnan,  
S/o Late S.B. Chandran  
R/o 123, Thimmaiah Road,  
Bharathi Nagar, Shivaji Nagar Post,  
Bengaluru-560001

Copy to:

2. Sh. S. Bhowmick,  
U.S. to the Govt. of India,  
Ad.1C (CESTAT)  
Ministry of Finance, Dept. of Revenue,  
North Block, New Delhi-110001



Dated :20/06/2018

**I.D. NO. 13-39/2018**

Sub : Information sought by Shri Anand Krishnan under  
the RTI Act 2005 ----reg.

Please refer to note dated 12/06/2018 of CPIO issued vide  
F.No.13-39//CESTAT/CPIO-ND/VPP/2018. The reply to information  
sought by the applicant is as under:-

**Reply:** \_\_\_\_\_ The information sought does not pertain to this  
section

  
(Sunil Kumar  
Technical Office)

To,

✓  
CPIO/Asstt. Registrar, CESTAT, New Delhi.

Recd  
20/06/18

**F. No. 13-39/ CESTAT/CPIO-ND/VPP/2018**  
**Customs, Excise and Service Tax Appellate Tribunal**  
**West Block No. 2, R.K. Puram, New Delhi-110 066**

**CPIO ID No. 13-39/20**

Subject: Information sought under RTI Act, 2005.

Sir/Madam,

Please refer to RTI application of Shri/Smt. Anand Krishan (No. NIL dated 11.05.2018) received by transfer from U.S. Ad.1C, in this office on 11.06.2018 under RTI Act 2005 (copy enclosed) wherein certain information are sought mentioned therein is related to your section.

Therefore, in terms of the provisions of Section 5(4) read with Section 5(5) of RTI Act 2005 the RTI application CPIO ID No. **13-39/2018** is forwarded herewith to you as **CPIO** under section 5(4), with request to provide the correct and para wise information/inspection on or before 26.06.2018 directly to the applicant as permissible under the RTI Act & DOP & T. O.Ms within the stipulated time, failing which, as CPIO under section 5(4), you will be responsible for delay/denial and penalty if any, under section 20 of RTI Act. Further requested to follow O.M. No.12/31/2013-IR dated; 12.02.2013 circulated on 23.05.2013 and O.M. No. 1/18/2011-IR dated 16.09.2011.

**Note:-**

- 1. If the information is not available with your section or you, if possible, please reply from where it may be retrieved, without delay within 05 days.**
- 2. RTI application's replies which are related to outer benches may be gathered from there by filing RTI applications there directly, for facilitation, CPIOs are nominated at all outer benches separately.**
- 3. To provide the requisite information, if available and permissible, directly to the applicant, subject to the provisions of the Act and the rules made thereunder, under intimation to the undersigned.**

Encl: As above.

For Compliance to:

**1. T.O. (Central Registry)**

Copy to: (For Information)

1. Sh. Anand Krishnan,  
S/o Late S.B. Chandran  
R/o 123, Thimmaiah Road,  
Bharathi Nagar, Shivaji Nagar Post,  
Bengaluru-560001

2. Sh. S. Bhowmick,  
U.S. to the Govt. of India,  
Ad.1C (CESTAT)  
Ministry of Finance, Dept. of Revenue,  
North Block, New Delhi-110001



MC  
CESTAT New Delhi  
Date: 12.06.2018

*Received*  
*H*  
*13/06/18*

*g*  
*c*

ID - 13 - 39 / 2018 (CESTAT)

Recd 11/18

F. No. R.20011/113/2018-Ad.1C (CESTAT)

Government of India  
Ministry of Finance  
Department of Revenue

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New Delhi, 06<sup>th</sup> June, 2018

To ✓

The CPIO,  
CESTAT, West Block No. 2,  
R.K. Puram, New Delhi-66.

Subject : Transfer of RTI application u/s 6(3) of the RTI Act – reg.

Sir,

Please find enclosed herewith an RTI application dated 11.05.2018 of Sh. Anand Krishna, Bengaluru received in this section on 31.05.2018. The same is being transferred under section 6(3) of the RTI Act for providing the requisite information to the applicant directly in terms of the provisions of the RTI Act-2005, under intimation to this office.

Encl: - As above

Yours faithfully,

(S. Bhattacharya)

Under Secretary to the Government of India, CPIO

Tele: 2305359

T.O. (C.R.)

F. No. 50/2/819432/2018-RTI Cell  
 Government of India  
 Ministry of Finance  
 Department of Revenue

North Block, New Delhi  
 Dated 24<sup>th</sup> May 2018

OFFICE MEMORANDUM

**Subject:- Transfer of an RTI application dated 11-5-2018 of Shri Anand Krishnan under Right to Information Act, 2005 - reg**

An RTI application dated 11-5-2018 of Shri Anand Krishnan, Bengaluru received on 22.05.2018 is enclosed.

2. Since the requested information does not fall within the jurisdiction of Headquarter, Ministry of Finance, (Department of Revenue), North Block, New Delhi, and more closely concerns (i) CPIO, RTI Cell, Directorate of Revenue Intelligence (DRI), Ministry of Finance, Mahatma Gandhi Marg, IP Estate, New Delhi-110002 (ii) CPIO, Directorate of General of Central Excise Intelligence, Ministry of Finance, 239, Sector-5, C-Block, R.K. Puram, New Delhi-110022 (iii) CPIO & US (AD-IC), Ministry of Finance, Department of Revenue, North Block, New Delhi (iv) CPIO & US (Cus.-III), Ministry of Finance, Department of Revenue, North Block, New Delhi, the application is being forwarded to concerned (i) CPIO, RTI Cell, Directorate of Revenue Intelligence (DRI), Ministry of Finance, Mahatma Gandhi Marg, IP Estate, New Delhi-110002 (ii) CPIO, Directorate of General of Central Excise Intelligence, Ministry of Finance, 239, Sector-5, C-Block, R.K. Puram, New Delhi-110022 (iii) CPIO & US (AD-IC), Ministry of Finance, Department of Revenue, North Block, New Delhi (iv) CPIO & US (Cus.-III), Ministry of Finance, Department of Revenue, North Block, New Delhi under section 6(3) of the RTI Act, 2005. If any part of the application falls under any other office, it may please be further transferred to the Public Authority to which the subject matter pertains, under information in this Department.

3. The RTI application is being transferred/forwarded after going through the allocation of Business Rules of the Government of India/Induction material of the Department of Revenue.

4. However, if you are not satisfied you may prefer an appeal before the First Appellate Authority viz. DS (Admn.), Ministry of Finance, Department of Revenue, North Block, New Delhi within 30 days of the receipt of this letter.

Encl.- As above

R.K. Kumara  
 2  
 (Rajan Kumara)  
 CPIO & Under Secretary to the Govt. of India  
 Tel: 23000668

To

- (i) CPIO, RTI Cell, Directorate of Revenue Intelligence (DRI), Ministry of Finance, Mahatma Gandhi Marg, IP Estate, New Delhi-110002
- (ii) CPIO, Directorate of General of Central Excise Intelligence, Ministry of Finance, 239, Sector-5, C-Block, R.K. Puram, New Delhi-110022
- ✓ (iii) CPIO & US (AD-IC), Ministry of Finance, Department of Revenue, North Block, New Delhi
- (iv) CPIO & US (Cus.-III), Ministry of Finance, Department of Revenue, North Block, New Delhi

Copy for information to:-

Shri Anand Krishnan, S/o Late S.B. Chandran, R/o 123, Thimmaiah Road, Bharathi Nagar, Shivaji Nagar Post, Bengaluru-560001 with the request to contact the above CPIO for further correspondence in this matter.

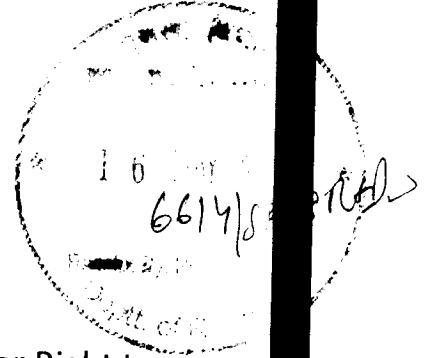
31/5  
 An (CPIO)

To,

Bengaluru -1

Dated; 11-05-2018

The Central Public Information Officer  
Joint Secretary (Review)  
Central Board of Indirect Taxes & Customs (CBIC)  
B-Wing, 4th Floor, Hudco Vishala Building  
Bhikaji Cama Place  
R.K.Puram,  
New Delhi 110066.



Sir,

Subject: Request for Information under Right to Information Act 2005.

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I, Anand Krishnan, son of late S.B.Chandran Resident / correspondence at No.123, Thimmaiah Road, Bharathi Nagar, Shiva Nagar Post, Bengaluru – 560 001, mobile telephone number (with STD Code 91- 9854894798 wish to seek the following information under RTI Act, 2005.

98-9819

**RTI Query**

- i. Status of following Supreme Court Appeals namely
  1. COMM.R. OF CUSTOMS (IMPORT) MUMBAI vs. M. VODAFONE ESSAR GUJ LTD. (FORMERLY KNOWN AS KASCEL LIMITED) Case No 10596/2009 & Diary No. 10596 - 2009 C.A. No. 004831/2009.
  2. M/S BHARTI AIRTEL LIMITED vs. COMMISSIONER OF CUSTOMS, BANGALORE C.A. No. 00598/2012 Registered on 23-08-2012, D No. 2594/2012 Registered on 23-08-2012.
  3. UNION OF INDIA vs. MANGALI IMPEX LTD. C.A. No. 23137/2016SLP(C) No. 020453 / 2016.
- ii. How many cases have been tagged to the above mentioned three cases by the Supreme Court?

PLO  
D.R.P  
D.A.C.B.I.  
US (A & I.C.) (Cus-III)  
21/5/18

TIME LOGGED	
MINISTRY OF FINANCE / वित्त मंत्रालय	
DEPARTMENT OF REVENUE / वित्त विभाग	
CUSTOMS / कूना का अधिनियम प्रभाग	
FTO No. 819432	/2018/RTI Cell
Date of Receipt 22/05/2018	


45F98091  
Rajol-

- iii. How many cases investigated and Show cause Notices issued by DRI and DGCEI/D.G.GST Intelligence have been appealed and stayed and not decided by Supreme Court on the basis of Supreme Court Judgment in the case of Commr. Of Customs vs Sayed Ali &Anr (CIVIL APPEAL NOS. 4294-4295 OF 2002)
- iv. What is the total customs import duty, CVD amount, interest amount, redemption amount and penalty amount and other connected fines and penalties involved in the three cases mentioned above and the cases tagged with these three cases?
- v. How many cases investigated and Show cause Notices issued by DRI and DGCEI/D.G.GST Intelligence have been stayed and not decided by various High Courts on the basis of Supreme Court Judgment in the case of Commr. Of Customs vs Sayed Ali &Anr (CIVIL APPEAL NOS. 4294-4295 OF 2002)
- vi. How many cases investigated and Show cause Notices issued by DRI and DGCEI and appealed have been stayed and not decided by various High Courts on the basis of Supreme Court Judgment in the case of Commr. Of Customs vs Sayed Ali &Anr (CIVIL APPEAL NOS. 4294-4295 OF 2002) by various CESTAT Benches all over India?
- vii. How many cases investigated and Show cause Notices issued by DRI and DGCEI and appealed have been stayed and not decided by various High Courts on the basis of Supreme Court Judgment in the case of Commr. Of Customs vs Sayed Ali &Anr (CIVIL APPEAL NOS. 4294-4295 OF 2002)
- viii. What is the total revenue blocked because of the stay OR cases not decided by High Courts CESTAT and Commissioner Appeal all over India because of Supreme Court Judgment in the case of Commr. Of Customs vs Sayed Ali &Anr (CIVIL APPEAL NOS. 4294-4295 OF 2002) due to the pending cases before Supreme Court, High Courts, CESTAT?
- ix. What are the reasons for not approaching the Hon'ble Supreme Court for **URGENT/OUT OF TURN LISTING** and hearing these cases in the interest of revenue?

- x. Whether these facts have been brought to the notice Revenue/Finance Secretary and Hon'ble Finance Minister w file? IF NOT, why when the revenue implication is very high?
- xi. File noting relating to the actions taken in all the cases.
- xii. Once I know the charges to copy the noting side pages, t same will be remitted.
- xiii. For your records please find enclosed here with the let dated 26-04-2018 received from CBEC Legal Cell forward you copy of my RTI Application dated 10-04-2018 addressed Directorate of Legal Affairs CBEC, New Delhi.

I hereby inform that following formalities have been completed by me:  
That I have deposited the requisite fee of Rs/- 10/-(Rupees Ten Only)by way Postal Order favoring Pay and Accounts Officer, Department of Revenue Section Officer, Cash Section, Department of Revenue, CBEC, New Delhi , dat 14:05:2018 NO: 45F. 198091.

That I am 'Citizen' of India and I am asking the information as 'Citizen'. I assure that I shall not allow/ cause to use/ pass/share/display/ or circulate t information received in any case and under any circumstances, with any person in any manner which would be detrimental to the Unity and Sovereignty against the Interest of India.

  
Signature of the Applicant  
9845894798

Dated: 11-05-2018



F.No.275/60/2015-CX.8A (pt.)  
Government of India  
Ministry of Finance  
Department of Revenue  
(Central Board of Excise & Customs)  
Legal Cell

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Wing 5 'C' HUDCO-VISHALA Building  
Bhikaji Cama Place, R.K. Puram,  
New Delhi, the 26.04.2018.

To,

CPIO (Judicial Cell), CBIC,  
4<sup>th</sup> Floor, Hudco Vishala Building,  
Bhikaji Cama Place, R. K. Puram,  
New Delhi - 110066.

Sir,

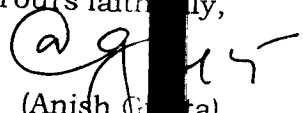
**Sub: Request for Information under Right to Information Act, 2005: - regarding [redacted].**

Please refer to the letter vide F. No. 1080/03/DLA/RTI/Misc/2017/823 dated 20.04.2018 along with its enclosures (received in this office on 25.04.2018) of Sh. Vijay Singh, CPIO & Assistant Commissioner, Directorate of Legal Affairs, CBIC, New Delhi, regarding the above subject.

2. In this regard, it is submitted that requested information is related to Appeal Nos. 4294-4295/2002 titled M/s Sayed Ali & Anr which was filed against the CESTAT order dated 01.02.2002 (copy downloaded from supreme court website is attached). The filing of Civil Appeals against the CESTAT Order falls under the purview of O/o the Joint Secretary (Review), CBIC.

3. Accordingly, the RTI application is hereby being transferred under section 6 of the RTI Act, 2005 for further necessary action.

Yours faithfully,

  
(Anish Gupta)  
OSD (Legal)  
Tele: 2617 [redacted] 14

Copy to: Sh. Vijay Singh, CPIO & Assistant Commissioner, Directorate of Legal Affairs, CBIC for information.

2. Sh. Anand Krishnan, S/o- S.B. Chandran, R/o-123, Thimmaiah Road, Bharathi Nagar, Shivaji Nagar Post, Bengaluru - 560001.

Received  
01/05/2018

2

To

- 1) The Central Public Information Officer,  
Directorate of Legal Affairs,  
Central Board of Excise and Customs,  
4<sup>th</sup> Floor, Rajendra Bhavan,  
210, DDU Marg,  
New Delhi 110002.
- 2) Smt. Ameeta Suri,  
Member (Legal),  
Central Board of Excise and Customs,  
North Block,  
New Delhi 110 001.
- 3) Shri Pranab Kumar Das,  
Member (Customs),  
Central Board of Excise and Customs,  
North Block,  
New Delhi 110 001.

Personal Copy 10/1/18

Sir / Madam ,

Subject:- Request for Information under Right to Information Act, 2005.

I, Anand Krishnan, So of Late S.B.Chandran, Resident of No.123, Thimmaiah Road Bharathi Nagar, Shivaji Nagar Post, Bengaluru – 560 001, mobile number (with STD Code 91-9845894798, wish to seek the following information under RTI Act, 2005.

**RTI Query**

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  2. M/S BHARTI AIRTEL LIMITED vs. COMMISSIONER OF CUSTOMS, BANGALORE Case No. 25944/2012 & Diary No.25944/2012 Registered on 23-08-2012.
  3. UNION OF INDIA vs. MANGALI IMPEX LTD. Case No.23137/2016 & Diary No.23137/2016 SLP(C) No. 020453 / 2016.
- ii. How many cases have been tagged to the above mentioned three cases by the Supreme Court?
- iii. How many cases investigated and Show Cause Notices issued by DRI and DGCEI/D.G.GST Intelligence have been appealed and stayed and not decided by Supreme Court on the basis of Supreme Court Judgement in the

case of Commissioner of Customs vs Sayed Ali & Anr (CIVIL APPEAL NOS. 4294-4295 OF 2002)

- iv. What is the total Customs Import Duty, CVD amount, interest amount, redemption amount and penalty amount and other connected fines and penalties involved in the three cases mentioned above and the cases tagged with these three cases?
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That I am 'Citizen' of India and I am asking the information as 'Citizen'. I assure 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 and Sovereignty or against the Interest of India.

Signature of the Applicant / Dated; 10.04.2018

