

(8)

F. No. 13-56/ 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. 13-56/2018

Subject: Information under Right to Information Act 2005.

Sir/Madam,

Please refer to your RTI application No. NIL dated 25.07.2018) received in this office by transfer from Sh. Vijay Singh, CPIO & Asst. Commissioner, Directorate of Legal affairs, Central Board of Excise and Customs 4th Floor, Jajendra Bhawan, 210, DDU Marg, New Delhi-110002 on 06.08.2018, under RTI Act 2005, the information received from **Dy. Registrar (In-Charge Central Registry)** containing 01 page is enclosed herewith for your reference please.

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

Note:

1. 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.

2. 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.



CPIO
CESTAT, New Delhi
Date: 17.09.2018

To

1. Sh. Radhey Shyam Bajaj
103-B, Stephen House,
6th Floor, 4 B.B.D. Bag (East),
Kolkata-700001
2. Sh. Vijay Singh
CPIO & Asst. Commissioner,
Directorate of Legal affairs,
Central Board of Excise and Customs,
4th Floor, Jajendra Bhawan, 210,
DDU Marg, New Delhi-110002



17 SEP 2018



CENTRAL REGISTRY

I.D.No.13-56/18

1

Sub: Information sought by Shri Radhey Shyam Bajaj under the RTI Act 2005 ----reg.

With reference to RTI application filed by Shri Radhey Shyam Bajaj dated 25/07/2018 wherein the applicant has sought information relating to Larger Bench decision dated 30/01/2018. In this connection the information is as under:-

From the perusal of the RTI application of the applicant it is noticed that the applicant has sought Advisory information in the judicial decision passed by the Hon'ble Larger Bench.

Since, the information sought by the applicant is of advisory nature, therefore, the same cannot be given and the decision taken by the Hon'ble Larger Bench cannot be commented upon.

This is for information

Copy of DOP&T Letter No.1/18/2011-IR dated 16/09/2011 is enclosed for reference..

F.No. 10/CESTAT/CR/2015-16


Deputy Registrar.

Date: 13/09/2018

To,

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

①

Reminder

F. No. 13-56/ 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. 13-56/2018


Subject: Information under the Right to Information Act 2005.

Sir/Madam,

Please refer to RTI application of Shri/Smt. Radhey Shyam Bajaj (No. NIL dated 25.07.2018) received in this office on 06.08.2018, under the RTI Act, 2005 and CPIO **ID No 13-56/2018**.

The requisite information was called for from you, but the same have not been provided by you till date despite of CPIO's letters 09.08.2018 issued to you as CPIO under 5(5) of the RTI Act, 2005.

You are again requested to please provide the information **immediately** failing which you will be responsible for any action or penal action imposed by the Ld. Authority under the RTI Act.


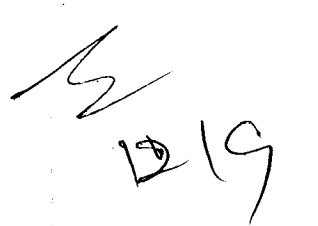

CESTAT, New Delhi
Date: 12.09.2018

To,

1. Central Registry

Copy to:

1. Sh. Radhey Shyam Bajaj
103-B, Stephen House,
6th Floor, 4 B.B.D. Bag (East),
Kolkata-700001
2. Sh. Vijay Singh
CPIO & Asst. Commissioner,
Directorate of Legal affairs,
Central Board of Excise and Customs,
4th Floor, Jajendra Bhawan, 210,
DDU Marg, New Delhi-110002

13 SEP 2018


(3)

F. No. 13-56/ 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. 13-56/2018

Subject: Information sought under RTI Act, 2005.

Sir/Madam,


Please refer to RTI application of Shri/Smt. Radhey Shyam Bajaj (No. NIL dated 25.07.2018) received in this office by transfer from Sh. Vijay Singh, CPIO & Asst. Commissioner, Directorate of Legal affairs, Central Board of Excise and Customs 4th Floor, Jajendra Bhawan, 210, DDU Marg, New Delhi-110002 on 06.08.2018, under RTI Act 2005 (copy enclosed) wherein certain information are sought as 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. **13-53/2018(CESTAT)** 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 23.08.2018 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 OM 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:-

If information is available may be provided as per rules of the RTI Act and the D.O.P. & T. OM.

Encl: As above.

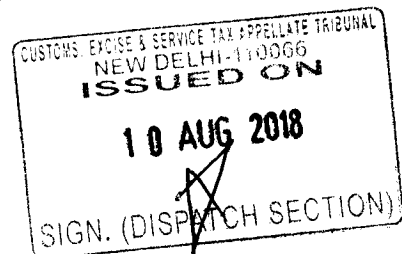

CPIO
CESTAT New Delhi
Date: 09.08.2018

For Compliance to:

1. Central Registry.

Copy to: (For Information)

1. Sh. Radhey Shyam Bajaj
103-B, Stephen House,
6th Floor, 4 B.B.D. Bag (East),
Kolkata-700001
2. Sh. Vijay Singh
CPIO & Asst. Commissioner,
Directorate of Legal affairs,
Central Board of Excise and Customs,
4th Floor, Jajendra Bhawan, 210,
DDU Marg, New Delhi-110002



13-56/18 / CESTAT/ND

Resd
06/08/18



**DIRECTORATE OF LEGAL AFFAIRS, CENTRAL BOARD OF EXCISE & CUSTOMS
4TH FLOOR, RAJENDRA BHAWAN, 210, DDU MARG,
NEW DELHI-110 002**

Email- dla-rev@nic.in

Phone- 011-23219075

FAX- 23219073

F.No. 1080/03/DLA/RTI/Misc/2017 | 1736

Dated: 01.08.2018

To



The CPIO,
Customs, Excise & Service Tax Appellate Tribunal (CESTAT),
West Block No.2, R. K. Puram,
New Delhi - 110066

Sir,

Subject: - Information sought by Sh. Radhey Shyam Bajaj under Right to Information Act, 2005 – reg.

Please find enclosed RTI application of Sh. Radhey Shyam Bajaj dated 25.07.2018 received in this office on 01.08.2018.

Since the information sought in the said RTI application pertains to CESTAT, the RTI application is hereby transferred under Section 6 (3) of Right to Information Act, 2005 for furnishing information directly to applicant under intimation to this office.

Yours faithfully,

Encl: As above;

(Vijay Singh)
CPIO & Assistant Commissioner

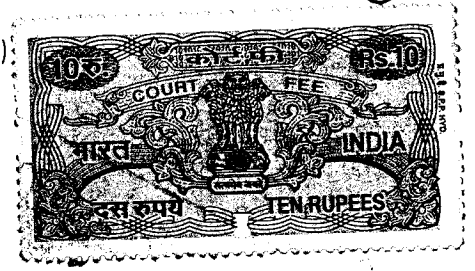
Copy to:

Sh. Radhey Shyam Bajaj, 103 B, Stephen House, 6th Floor, 4,B.B.D. Bag (East),
Kolkata – 700001.

(Vijay Singh)
CPIO & Assistant Commissioner

M. Anshu
11/8/2018

Application for obtaining information
(under Rule 3 of The Right to Information Act, 2005)

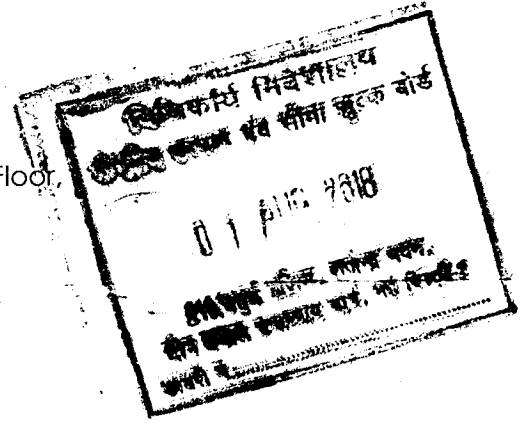


To
Assistant Commissioner
Directorate of Legal Affairs,
Central Board of Indirect Taxes & Customs,
4th Floor, Rajendra Bhawan,
210, DDU Marg,
NEW DELHI -110002

1. FULL NAME OF APPLICANT : RADHEY SHYAM BAJAJ

2. ADDRESS : 103B, Stephen House, 6th Floor,
4,B.B.D. Bag (East)
KOLKATA – 700 001

e-mail id : bajajrs@vsnl.net
Cell No. 98303 090537
Tel. (Off.) 033-22420537
033-22104238



3. PARTICULARS OF INFORMATION REQUIRED

(i) Subject matter of information : CESTAT Order No. 8 – 11 / 2018 dated 30-01-2018

(ii) Period to which the information relates : Jan., 2018 to till date

(iii) Description of information required :

While taking the note of the fact that the excisability of gum, wax and fatty acid that arising / emerging in course of manufacture of refined vanaspati ghee / refined vegetable oil itself is seriously in dispute, the Larger Bench of CESTAT, New Delhi vide its Interim Order No. 8 – 11 / 2018 dated 30-01-2018 in the case of Racela Health Foods Ltd. & others vs CCE has held that the said gum, wax and fatty acid cannot be considered other than waste and as such will be covered by the exemption Notification No. 89 / 95 – CE dated 18-05-1995. In this regard, following information is earnestly sought :

- Whether the said decision has since been accepted by the department and attained finality or not?
- If an appeal is filed against the said decision, which is the appellate forum and what is the reference of appeal?

4. WHETHER THE APPLICANT IS BELOW POVERTY LINE : NO

(If yes, attach a photocopy of the proof thereof)

Place : Kolkata
Date : 25th July, 2018

Signature of the applicant