

228/85/2013  
X.X.13

Encl: As above<sup>ps</sup>

[R.K. Jain]



Yours faithfully,

Thanking you.

I have filed First Appeal No. 1445 dated 03-02-2010 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date. **Copy of the said appeal with proof of Posting/Delivery is enclosed for your easy reference.**

Dear Sir,

Sub: My RTI Application No. RTI/2708/09, dated 28/12/2009

1st Appellate Authority under RTI  
Customs, Excise & Service Tax Appellate Tribunal,  
West Block 2, R.K.Puram,  
New Delhi- 110066



RTI/P-537/2708/09/R7644  
07-10-2013

R.K. Jain

and author of  
CENTRAL EXCISE LAW GUIDE  
CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,  
CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &  
EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,  
NEW DELHI - 110 003,  
PHONE : 24651101  
MOBILE : 9810077977

R.K. JAIN  
M.Com., LL.B.  
Excise, Customs & Service Tax Consultant

4633/CR-13  
9/10/13  
11/10/13

08/10 (A)/2013

**TIME BOUND**  
**RTI**

~~CP~~ ~~2010~~

**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(2708/2009)/Appeal/1445  
Dated : 03-02-2010

To

1<sup>st</sup> Appellate Authority under RTI  
CESTAT  
West Block 2, R.K. Puram  
New Delhi-110066



**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Shri Mohinder Singh, CPIO/Asst. Registrar (Admn.)
		(b) Address	CESTAT 2, West Block R.K. Puram New Delhi – 110 066
2.	Date of submission of application (Copy of application attached)	28-12-2009	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	28-02-2010	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	(a) Copy of RTI Application dated 28-12-09 ( <i>Annexure 1</i> ) (b) Copy of CPIO letter F. No. 04-339/CESTAT/CPIO-ND/MS/09, dated 07-01-10 ( <i>Annexure 2</i> ) (c) Copy of CPIO's letter F. No. 04-339/CESTAT/CPIO-ND/MS/09, dated 27-01-2010 ( <i>Annexure 3</i> )	

## BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 28-12-2009 under Section 6 of the RTI Act, 2005 requesting for the following information:
- (A) *The list of dates on which the annual physical checking of pending appeals and applications undertaken since 1983 to date as prescribed under para 17.07 of the CESTAT Office Manual (Judicial Work).*
  - (B) *Copies of reports, statements, registers, list and other documents relating to physical checking as referred to in clause (A) above.*
  - (C) *Details and copies of the reports, statements, note sheets and proposed and orders for adjustment made in the monthly statement of appeals & applications filed, disposal or pending as referred to in clause (A) above.*
  - (D) *Inspection all records, documents, files and registers for the information.*
- (2) That the appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the appellant, the information pertains to the Office of the CPIO in question.
- (3) That the CPIO vide his letter dated 7-01-2010 (*Annexure -2*) has asked DR(J), CESTAT, New Delhi for providing the information. Further, the CPIO vide his letter dated 27-01-2010 (*Annexure -3*) has again asked the DR(J), CESTAT, New Delhi to give the information, as the information given by the AR, Excise Appeal Branch is not satisfactory. Since the CPIO, CESTAT, New Delhi has not provided information as sought within the time limit of 30 days and also has not provided the copy of the information made available by AR, Excise Branch, CESTAT, this case is of deemed refusal and the appellant being aggrieved by such refusal, is filing this appeal.

## GROUND OF APPEAL

- (1) That the action of the learned CPIO in not providing the information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the information sought is neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO. That the appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.

- (4) That the learned CPIO has not provided any information as sought in his said RTI Application. Therefore, in view of the provisions of the RTI Act, this is a case of deemed refusal.
- (5) The learned CPIO in his letter dated 27-1-2010 (*Annexure - 3*) has referred to the note dated 21-01-2010 of the Assistant Registrar, Excise Appeal Branch, but has not forwarded the copy of the same to the Appellant. Therefore, the CPIO is not providing the information or communication or report received by him with regard to the information sought by the Appellant.
- (6) The CPIO has not brought the matter to the notice of his senior Officers with regard to non-compliance of RTI Act by the Deputy Registrar (J) and Assistant Registrar, Excise Appeal Branch, CESTAT, New Delhi.
- (7) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.
- (8) This is without prejudice to the right of the appellant to add or later on modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing.

#### PRAYER

Under the circumstances, the appellant prays as under :

- (a) That the CPIO may be directed to provide the information as sought by the appellant.
- (b) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (c) A personal hearing may be granted to the appellant before deciding the appeal.



Signature of Appellant  
Telephone No. : 9810077977  
24651101  
Fax No. 011-24635243

Place : New Delhi  
Dated : 3-02-2010

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-90(A)/2013  
CPIO ID No (2708/2009) 04-342/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....97/2013.....

Appeal was heard on 25.10.2013 instead of 31.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.

  
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

08-89(A)/2013

**TIME BOUND**  
**RTI**

D/MO. 4639/EK-13  
9/10/13

**R.K. JAIN** M.Com., LL.B.

Excise, Customs & Service Tax Consultant

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

**NEW DELHI - 110 003.**

PHONE : 24651101

MOBILE : 9810077977

6/10/13

RTI/P-501/3414/11/R7627

07-10-2013

1st Appellate Authority under RTI Act, 2005  
Customs, Excise & Service Tax Appellate Tribunal  
West Block 2. R.K.Puram  
New Delhi - 110066

Stamp: 07 OCT 2013  
Signature: [Handwritten]  
Date: 09/10/13

**Sub: My RTI Application No. RTI/3414/11, dated 10/6/2011**

Dear Sir,

I have filed First Appeal No.5015 dated 20-07-2011 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date. **Copy of the said appeal with proof of Posting/Delivery is enclosed for your easy reference.**

Thanking you.

Yours faithfully,



[R.K. Jain]

Encl: As above

GK

227/SS/2013  
X.X.13

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**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(3414/2011)/Appeal/5015

Dated : 20-07-2011

To

1<sup>st</sup> Appellate Authority under RTI Act, 2005  
 CESTAT  
 West Block 2, R. K. Puram  
 New Delhi – 110 066

2/12

**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Mr. Mohinder Singh CPIO & Assistant Registrar
		(b) Address	CESTAT West Block 2, R. K. Puram New Delhi – 110 066
2.	Date of submission of application (Copy of application attached)	10-06-2011	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought.	See Prayer clause at the end	
5.	Last date for filing the appeal	10-08-2011	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	(a) Copy of RTI Application dated 10-06-2011 ( <i>Annexure 1</i> )	

### BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 10-06-2011 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
  - (A) Please provide inspection of all note sheets and correspondence portion of File No. D-20611/21-CESTAT (CT) and Connected files & Records..
- (2) That the appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the appellant, the information pertains to the Office of the CPIO in question.
- (3) That the appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

### GROUND OF APPEAL

- (1) That the action of the learned CPIO and the deemed CPIO in not providing the information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the inaction of the learned CPIO and the deemed CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO. That the appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (5) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to



any person. The information sought by the appellant in the subject application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the appellant.

- (6) This is without prejudice to the right of the appellant to add or later on modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing.

### PRAYER

Under the circumstances, the appellant prays ad under:

- (a) That the order of the CPIO be set aside and he may be directed to provide the information at the earliest.
- (b) The case may be referred to CIC for recommending imposition of penalty and direction for initiation of disciplinary action.
- (c) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) A personal hearing may be granted to the appellant before deciding the appeal.



Signature of Appellant  
Telephone No. : 9810077977  
24651101  
Fax No. 011-24635243

Place : New Delhi  
Dated : 20-07-2011

na

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-89(A)/2013  
CPIO ID No. (3414/2011) 06-106/2011

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 96/2013

Appeal was heard on 25.10.2013 instead of 31.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.

  
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhisim Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

DY/NO. 4640/CR-13  
7/10/13

08-88(A)/2013

**TIME BOUND**  
**RTI**

**R.K. JAIN** M.Com., LL.B.

Excise, Customs & Service Tax Consultant  
and author of

CENTRAL EXCISE LAW GUIDE  
CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,  
CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &  
EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,  
**NEW DELHI - 110 003.**  
PHONE : 24651101  
MOBILE : 9810077977

2/AS 10/110

RTI/P-537/3038/10/R7657  
07-10-2013

Stamp: Custom/Trade Tax  
Signature  
9 OCT 2013  
09/10/13

1st Appellate Authority under RTI  
Customs, Excise & Service Tax Appellate Tribunal,  
West Block 2, R.K.Puram,  
New Delhi- 110066

**Sub: My RTI Application No. RTI/3038/10, dated 3/4/2010**

Dear Sir,

I have filed First Appeal No. 1482 dated 2-6-2010 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date. **Copy of the said appeal with proof of Posting/Delivery is enclosed for your easy reference.**

Thanking you,

Yours faithfully,

[R.K. Jain]

Encl: As above  
ps

226/SS/2013  
X-X-X111

o/c

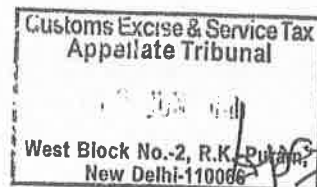
**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(3038/2010)/Appeal/1482

Dated : 2-6-2010

To

1<sup>st</sup> Appellate Authority under RTI  
CESTAT  
West Block 2, R.K. Puram  
New Delhi-110066



**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Shri Mohinder Singh, CPIO/Asst. Registrar (Admn.)
		(b) Address	CESTAT 2, West Block R.K. Puram New Delhi - 110 066
2.	Date of submission of application (Copy of application attached)	03-04-2010	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	03-06-2010	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	(a) Copy of RTI Application dated 03-04-10 (Annexure 1)	

### BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 03-04-2010 under Section 6 of the RTI Act, 2005 requesting for the following information:
- (A) *Please provide copies of all the returns, statements submitted to the Department of Revenue, MOF, with regard to institution, disposal and pendency of all the RTI Applications and appeals, in the CESTAT, for the year 2005 to 2010.*
  - (B) *Please provide copies of all the returns statements submitted to the Central Information Commission with regard to institution, disposal and pendency of all the RTI Applications and appeals, in the CESTAT, for the year 2005 to 2010.*
  - (C) *Please also provide the dates in relation to each return, statement, etc. submitted by you with regard to (A) & (B) above.*
  - (D) *Please also inform whether any statement submitted as referred to (A) and (B) above has been subsequently modified or replaced or substituted by you and if so, please provide copies of the original return/statement submitted along with modified/ substituted or replaced one.*
  - (E) *Please provide details of the pendency of the RTI Applications and appeals at CESTAT as on 31-03-2006, 31-03-2007, 31-03-2008, 31-03-2009 and 31-03-2010.*
- (2) That the appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the appellant, the information pertains to the Office of the CPIO in question.
- (3) That the appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

### GROUNDS OF APPEAL


- (1) That the action of the learned CPIO in not providing the information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.

- (3) That the inaction of the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO. That the appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (5) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the appellant in the subject application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the appellant.
- (6) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

#### PRAYER

Under the circumstances, the appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the appellant.
- (b) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (c) A personal hearing may be granted to the appellant before deciding the appeal.



Signature of Appellant

Telephone No. : 9810077977

24651101

Fax No. 011-24635243

Place : New Delhi  
Dated : 2-6-2010

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-88(A)/2013  
CPIO ID No. (3038/2010) 05-86/2010

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order..... 95/2013

Appeal was heard on 25.10.2013 instead of 31.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.



(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

DYMO. 4641/ex-13  
9/10/13

08-87(A)/10/13

**TIME BOUND**  
**RTI**

**R.K. JAIN** M.Com., LL.B.

**Excise, Customs & Service Tax Consultant**

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

**NEW DELHI - 110 003.**

PHONE : 24651101

MOBILE : 9810077977

805 Delhi

RTI/P-537/3085/10/R7661  
07-10-2013

1st Appellate Authority under RTI  
Customs, Excise & Service Tax Appellate Tribunal,  
West Block 2, R.K.Puram,  
New Delhi- 110066




**Sub: My RTI Application No. RTI/3085/10, dated 4/5/2010**

Dear Sir,

I have filed First Appeal No. 1485 dated 21-6-2010 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date. **Copy of the said appeal with proof of Posting/Delivery is enclosed for your easy reference.**

Thanking you,

Yours faithfully,

  
[R.K. Jain]

Encl: As above  
ps

225/55/2013  
X.X.13



ofc

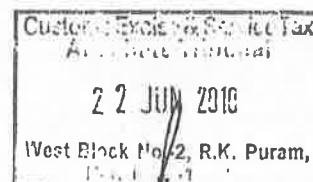
**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(3085/2010)/Appeal/1485

Dated : 21-6-2010

To

1<sup>st</sup> Appellate Authority under RTI  
CESTAT  
West Block 2, R.K. Puram  
New Delhi-110066



**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Shri Mohinder Singh, CPIO/Asst. Registrar (Admn.)
		(b) Address	CESTAT 2, West Block R.K. Puram New Delhi - 110 066
2.	Date of submission of application (Copy of application attached)	04-05-2010	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	03-07-2010	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	(a) Copy of RTI Application dated 04-05-10 (Annexure 1)	
		(b) Copy of CPIO's letter dated 14-05-2010 (Annexure 2)	

### BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 04-05-2010 under Section 6 of the RTI Act, 2005 requesting for the following information:
  - (A) Please provide the list of pending appeals for the years 2007, 2008, 2009 and 2010 with details as available on CESTAT Database for filing Appeals/Applications before all the Benches of the CESTAT, New Delhi. The information may be provided in digital form and if not available in digital form, then the hard copy of the same may be provided.

**NOTE: It may be noted that the information sought by the applicant is required to be voluntarily disclosed on the CESTAT website, under Section 4 of the RTI Act. But, this information has not been uploaded, therefore, the applicant is compelled to make this application.**
- (2) That the appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the appellant, the information pertains to the Office of the CPIO in question.
- (3) That the appellant has received only a communication dated 14-05-2010 (*Annexure 2*) from CPIO but not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

### GROUND OF APPEAL

- (1) That the action of the learned CPIO in not providing the information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That non-providing of information by the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such action is deemed to be a refusal to the request of the appellant without any reasonable cause or ground is illegal.

- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO. That the appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (5) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the appellant in the subject application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the appellant.
- (6) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

#### PRAYER

Under the circumstances, the appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the appellant.
- (b) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (c) A personal hearing may be granted to the appellant before deciding the appeal.



Signature of Appellant  
Telephone No. : 9810077977  
24651101  
Fax No. 011-24635243

Place : New Delhi  
Dated : 21-6-2010

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-87(A)/2013  
CPIO ID No. (3085/2010) 05-110/2010

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....94/2013.....

Appeal was heard on 25.10.2013 instead of 30.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.



(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

08-86(A)/2013

TIME BOUND

RTI

D-1110.4612/ER-13  
9/10/13

**R.K. JAIN** M.Com., LL.B.

Excise, Customs & Service Tax Consultant

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

NEW DELHI - 110 003.

PHONE : 24651101

MOBILE : 9810077977

8/10/13

RTI/P-501/3177/10/R7668

07-10-2013

1st Appellate Authority under RTI Act, 2005  
Customs, Excise & Service Tax Appellate Tribunal  
West Block 2, R.K.Puram  
New Delhi  
Delhi - 110066

Stamp: 8 OCT 2013  
Signature: [Handwritten Signature]  
Date: 09/10/13

**Sub: My RTI Application No. RTI/3177/10, dated 19/7/2010**

Dear Sir,

I have filed First Appeal No.1492 dated 18-09-2010 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date. **Copy of the said appeal with proof of Posting/Delivery is enclosed for your easy reference.**

Thanking you,

Yours faithfully,

[Handwritten Signature]

[R.K. Jain]

Encl: As above  
GK

224/SS/13  
X.F.13

ole

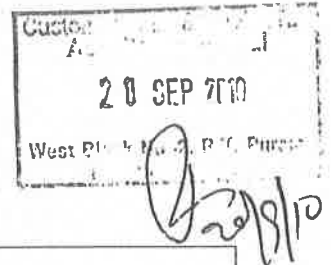
**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(3177/2010)/Appeal/1492

Dated : 18-09-2010

To

1<sup>st</sup> Appellate Authority under RTI  
CESTAT  
West Block 2, R.K. Puram  
New Delhi-110066



**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Shri Mohinder Singh, CPIO/Asst. Registrar (Admn.)
		(b) Address	CESTAT 2, West Block R.K. Puram New Delhi - 110 066
2.	Date of submission of application (Copy of application attached)	19-07-2010	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	20-09-2010	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	Copy of RTI Application dated 19-07-10 (Annexure 1)	

### BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 19-07-2010 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
  - (A) *Please intimate the number of appeals pending before the First Appellate Authority under RTI Act, as on 19-07-2010.*
  - (B) *Please provide list of the appeals pending before the First Appellate Authority under RTI Act, as on 19-07-2010, along with name of the Appellant, date of filing of the appeal.*
- (2) That the appellant not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

### GROUND OF APPEAL

- (1) That the action of the learned CPIO in not providing the information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That non-providing of information by the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such action is deemed to be a refusal to the request of the appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO. That the appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (5) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the appellant in the subject application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the appellant.

(6) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

**PRAYER**

Under the circumstances, the appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the appellant.
- (b) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (c) A personal hearing may be granted to the appellant before deciding the appeal.



Signature of Appellant  
Telephone No. : 9810077977  
24651101  
Fax No. 011-24635243

Place : New Delhi  
Dated : 18-09-2010



APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-86(A)/2013  
CPIO ID No. (3177/2010) 05-135/2010

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 93/2013.....

Appeal was heard on 25.10.2013 instead of 30.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.

(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

Dyno-4607/ex-13  
8/10/13

08-85(A)/2013

**R.K. JAIN** M.Com., LL.B.

**Excise, Customs & Service Tax Consultant**

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

**NEW DELHI - 110 003.**

PHONE : 24651101

MOBILE : 9810077977



RTI/P-501/523/09/R7532

05-10-2013

Appellate Authority Under RTI  
Customs, Excise & Service Tax Appellate Tribunal  
West Block 2, R.K.Puram  
New Delhi- 110066



8/10/13

**Sub: My RTI Application No. RTI/523/09, dated 27/1/2009**

Dear Sir,

I have filed First Appeal No.1079 dated 4-3-2009 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date.

Thanking you,

Yours faithfully,

[R.K. Jain]

ps

218/55/13  
10/10/13

CIC


**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(523/2009)/Appeal/1079

Dated : 04-03-2009

To

Shri S. Chandran  
 Registrar/Appellate Authority under RTI  
 CESTAT  
 2, West Block, R.K.Puram  
 New Delhi – 110 066

6 MAR 2009  
 West Block, R.K. Puram  


**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Mohinder Singh, CPIO
		(b) Address	Assistant Registrar CESTAT 2, West Block, R.K.Puram New Delhi – 110 066
2.	Date of submission of application (Copy of application attached)	27-01-2009	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	Providing of information as sought by the appellant in his application No. RTI/09/523, dated 27-01-2009 may be ordered to be provided to the appellant.	
5.	Last date for filing the appeal	27-03-2009	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	Copy of RTI Application dated 27-01-09 (Annexure 1)	

**BRIEF FACTS OF THE CASE**

- (1) The applicant appellant has filed an application dated 27-01-2009 under Section 6 of the RTI Act, 2005 requesting for providing information as specified in para 4(i) thereof.
- (2) That the applicant appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the applicant appellant, the information pertains to the Office of the CPIO in question.
- (3) That the applicant appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

**GROUNDS OF APPEAL**

- (1) That the action of the learned CPIO in not providing the information to the applicant appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the applicant appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the inaction of the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the applicant appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (5) That the applicant appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (6) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the applicant appellant in the subject

application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the applicant appellant.

- (7) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

**PRAYER**

Under the circumstances, the applicant appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the applicant appellant.
- (b) That the penalty may be imposed under Section 20 of the RTI Act, 2005 for failure to provide the information.
- (c) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) A personal hearing may be granted to the applicant appellant before deciding the appeal.



Signature of Applicant/Appellant

Telephone No. : 9810077977

24651101

Place : New Delhi

Dated : 04-03-2009

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-85(A)/2013  
CPIO ID No (523/2009) 04-08/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....92/2013.....

Appeal was heard on 25.10.2013 instead of 30.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.

  
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

08-84(A)/2013

Dy No. 4606/CR-13  
8/10/13

**R.K. JAIN** M.Com., LL.B.

Excise, Customs & Service Tax Consultant

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhisim Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

**NEW DELHI - 110 003.**

PHONE : 24651101

MOBILE : 9810077977

2-11  
9-10



RTI/P-501/503/09/R7524  
05-10-2013

Appellate Authority Under RTI  
Customs, Excise & Service Tax Appellate Tribunal  
West Block 2, R.K.Puram  
New Delhi- 110066

8 OCT 2013  
08/10/13

**Sub: My RTI Application No. RTI/503/09, dated 16/1/2009**

Dear Sir,

I have filed First Appeal No. 1072 dated 24-2-2009 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date.

Thanking you.

Yours faithfully,

[R.K. Jain]

**Note: Copy of Appeal with proof of posting/delivery is enclosed for your ready reference.**

**Encl: As above**

217/55/13  
10/10/13

**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(503/2009)/Appeal/1072

Dated : 24-02-2009

To

~~Shri S. Chandran~~ *AKC*  
Registrar/Appellate Authority under RTI  
CESTAT  
2, West Block, R.K.Puram  
New Delhi – 110 066

25 Feb 2009  
Registrar No. 2, R.K. Puram  
New Delhi - 110066

**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Mohinder Singh, CPIO
		(b) Address	Assistant Registrar CESTAT 2, West Block, R.K.Puram New Delhi – 110 066
2.	Date of submission of application (Copy of application attached)	16-01-2009	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	Providing of information as sought by the appellant in his application No. RTI/09/DEL-503, dated 16-01-2009 may be ordered to be provided to the appellant.	
5.	Last date for filing the appeal	16-03-2009	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	Copy of RTI Application dated 16-01-09 (Annexure 1)	



**BRIEF FACTS OF THE CASE**

- (1) The applicant appellant has filed an application dated 16-01-2009 under Section 6 of the RTI Act, 2005 requesting for providing information as specified in para 4(i) thereof.
- (2) That the applicant appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the applicant appellant, the information pertains to the Office of the CPIO in question.
- (3) That the applicant appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

**GROUNDS OF APPEAL**

- (1) That the action of the learned CPIO in not providing the information to the applicant appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the applicant appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the inaction of the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the applicant appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (5) That the applicant appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (6) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the applicant appellant in the subject

application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the applicant appellant.

- (7) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

**PRAYER**

Under the circumstances, the applicant appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the applicant appellant.
- (b) That the penalty may be imposed under Section 20 of the RTI Act, 2005 for failure to provide the information.
- (c) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) A personal hearing may be granted to the applicant appellant before deciding the appeal.



Signature of Applicant/Appellant

Telephone No. : 9810077977

24651101

Place : New Delhi

Dated : 24-02-2009

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-84(A)/2013  
CPIO ID No (503/2009) 04-04/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....91/2013.....

Appeal was heard on 25.10.2013 instead of 30.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.

  
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

BY NO. 4605/CR-13  
8/10/13

08-83(A)/2013

**R.K. JAIN** M.Com., LL.B.  
Excise, Customs & Service Tax Consultant

and author of  
CENTRAL EXCISE LAW GUIDE  
CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,  
CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &  
EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,  
**NEW DELHI - 110 003.**  
PHONE : 24651101  
MOBILE : 9810077977

S.A.  
29-10



RTI/P-501/767/09/R7552  
05-10-2013

Appellate Authority Under RTI  
Customs, Excise & Service Tax Appellate Tribunal  
West Block 2, R.K.Puram  
New Delhi- 110066



**Sub: My RTI Application No. RTI/767/09, dated 6/4/2009**

08/10/13

Dear Sir,

I have filed First Appeal No.1166 dated 18-05-2009 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date.

Thanking you,

Yours faithfully,

[R.K. Jain]

**Note: Copy of Appeal with proof of posting/delivery is enclosed for your ready reference.**

**Encl: As above**

216/55/13  
10/10/13

*JK*

**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI (767/2009)/Appeal/1166  
Dated : 18-05-2009

To

Shri S. Chandran  
Registrar/Appellate Authority under RTI  
CESTAT  
2, West Block, R.K.Puram  
New Delhi – 110 066

**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Mohinder Singh, CPIO
		(b) Address	Assistant Registrar CESTAT 2, West Block, R.K.Puram New Delhi – 110 066
2.	Date of submission of application (Copy of application attached)	06-04-2009	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	Providing of information as sought by the appellant in his application No. RTI/09/767, dated 06-04-2009 may be ordered to be provided to the appellant.	
5.	Last date for filing the appeal	05-06-2009	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	Copy of RTI Application dated 06-04-09 (Annexure 1)	

*18-05-2009*  
*11/11/09*

**BRIEF FACTS OF THE CASE**

- (1) The applicant appellant has filed an application dated 06-04-2009 under Section 6 of the RTI Act, 2005 requesting for providing information as specified in para 4(i) thereof.
- (2) That the applicant appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the applicant appellant, the information pertains to the Office of the CPIO in question.
- (3) That the applicant appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

**GROUND OF APPEAL**

- (1) That the action of the learned CPIO in not providing the information to the applicant appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the applicant appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the inaction of the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the applicant appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (5) That the applicant appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (6) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the applicant appellant in the subject

application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the applicant appellant.

- (7) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

### PRAYER

Under the circumstances, the applicant appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the applicant appellant.
- (b) That the penalty may be imposed under Section 20 of the RTI Act, 2005 for failure to provide the information.
- (c) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) A personal hearing may be granted to the applicant appellant before deciding the appeal.



Signature of Applicant/Appellant

Telephone No. : 9810077977

24651101

Place : New Delhi

Dated : 18-05-2009

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-83(A)/2013  
CPIO ID No. (767/2009) 04-77/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order..... 90/2013.....

Appeal was heard on 25.10.2013 instead of 30.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.

  
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO



Dy No. 4604/ER-13  
8/10/13

08-82(A)/2013

**R.K. JAIN** M.Com., LL.B.

**Excise, Customs & Service Tax Consultant**

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhishm Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

**NEW DELHI - 110 003.**

PHONE : 24651101

MOBILE : 9810077977

Sr As  
29-10

**TIME BOUND**  
**RTI**

RTI/P-545/784/09/R7555  
05-10-2013

Appellate Authority under RTI  
Customs, Excise & Service Tax Appellate Tribunal  
2, West Block, R.K.Puram  
New Delhi- 110066

8 OCT 2013  
08/10/13

**Sub: My RTI Application No. RTI/784/09, dated 8/4/2009**

Dear Sir,

I have filed First Appeal No.1163 dated 18-05-2009 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date.

Thanking you.

Yours faithfully.

  
[R.K. Jain]

**Note: Copy of Appeal with proof of posting/delivery is enclosed for your ready reference.**

**Encl: As above**

215/55/13  
10/10/13

o/c

**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI (784/2009)/Appeal/1163

Dated : 18-05-2009

To

Shri S. Chandran  
Registrar/Appellate Authority under RTI  
CESTAT  
2, West Block, R.K.Puram  
New Delhi - 110 066

**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name	Mohinder Singh, CPIO
		(b) Address	Assistant Registrar CESTAT 2, West Block, R.K.Puram New Delhi - 110 066
2.	Date of submission of application (Copy of application attached)	08-04-2009	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	Providing of information as sought by the appellant in his application No. RTI/09/784, dated 08-04-2009 may be ordered to be provided to the appellant.	
5.	Last date for filing the appeal	07-06-2009	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	Appeal in time	
7.	Copies of documents relied upon by the applicant	Copy of RTI Application dated 08-04-09 (Annexure 1)	

Recd  
P-15  
18/5/09

**BRIEF FACTS OF THE CASE**

- (1) The applicant appellant has filed an application dated 08-04-2009 under Section 6 of the RTI Act, 2005 requesting for providing information as specified in para 4(i) thereof.
- (2) That the applicant appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the applicant appellant, the information pertains to the Office of the CPIO in question.
- (3) That the applicant appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

**GROUND OF APPEAL**

- (1) That the action of the learned CPIO in not providing the information to the applicant appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the applicant appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the inaction of the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the applicant appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (5) That the applicant appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.
- (6) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the applicant appellant in the subject

application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the applicant appellant.

- (7) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

### PRAYER

Under the circumstances, the applicant appellant prays as under :

- (a) That the CPIO may be directed to provide the information as sought by the applicant appellant.
- (b) That the penalty may be imposed under Section 20 of the RTI Act, 2005 for failure to provide the information.
- (c) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) A personal hearing may be granted to the applicant appellant before deciding the appeal.



Signature of Applicant/Appellant

Telephone No. : 9810077977

24651101

Place : New Delhi

Dated : 18-05-2009

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-82(A)/2013  
CPIO ID No.(784/2009) 04-98/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order...21/2013.....

Appeal was heard on 25.10.2013 instead of 30.10.2013

2. Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.
3. Appellant seeks to withdraw the appeal.
4. Appeal stands disposed of.



(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO

Dy No. 4603/CR-13  
8/10/13

08-81(A)/2013

**R.K. JAIN** M.Com., LL.B.

**Excise, Customs & Service Tax Consultant**

and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

1512-B, Bhisim Pitamah Marg,  
Opp. ICICI Bank of Defence Colony,

**NEW DELHI - 110 003.**

PHONE : 24651101

MOBILE : 9810077977



RTI/P-501/141/08/R7511

05-10-2013

1st Appellate Authority Under RTI  
Customs, Excise & Service Tax Appellate Tribunal  
West Block 2, R.K.Puram  
New Delhi-110066



**Sub: My RTI Application No. RTI/141/08, dated 3/10/2008**

Dear Sir,

I have filed First Appeal No. 1242 dated.1-8-2009 under RTI. The said appeal is still pending decision with your Honour. It is requested that appeal may kindly be decided at an early date.

Thanking you,

Yours faithfully,

A handwritten signature in blue ink, appearing to be "R.K. Jain".

[R.K. Jain]

**Note: Copy of Appeal with proof of posting/delivery is enclosed for your ready reference.**

**Encl: As above**

214/55/13  
10/10/13

OK

**Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. :RTI(141/2008)/Appeal/1242

Dated : 01-08-2009

To

Hon'ble Shri D.N. Panda  
1<sup>st</sup> Appellate Authority under RTI  
CESTAT  
West Block 2, R.K.Puram  
New Delhi-110066

**A. Contact Details :**

1.	Name of the Appellant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003

**B. Details About RTI Request :**

1.	Particulars of the CPIO against whose order appeal is preferred;	(a) Name	Mohinder Singh, CPIO
		(b) Address	Assistant Registrar CESTAT 2, West Block, R.K.Puram New Delhi - 110 066
2.	Date of submission of application (Copy of application attached)	03-10-2008	
3.	Details of the order appealed against	Deemed Refusal	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	7-7-2009	
6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	The delay in filing the appeal may kindly be condoned as, when the appellant personally reminded the CPIO about providing this information, the appellant was told that details of the information is being gathered. Hence, the appellant waited for information which has not so far been provided to the appellant.	
7.	Copies of documents relied upon by the appellant	Copy of RTI Application dated 3-10-2008 (Annexure 1) Copy of Appellant's letter dated 12-01-2009 (Annexure 2) Copy of Appellant's letter dated 07-03-2009 (Annexure 3)	

Received

M.S.L

31/8/09

(M.P. SINGH)  
SPS

	Copy of Appellant's letter dated 08-06-2009 (Annexure 4)
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### BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 03-10-2009 under Section 6 of the RTI Act, 2005 requesting for providing information as specified in para 4(i) thereof.
- (2) That the appellant vide para 5 of his said application has also made a declaration that the information sought for is not exempted under Section 8 or 9 of the RTI Act, 2005 and also stated that to the best of the knowledge of the appellant, the information pertains to the Office of the CPIO in question.
- (3) That the appellant has not received the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. Therefore, as per Section 7(2) of the RTI Act, 2005, the request for information shall be deemed to have been refused. Thus being aggrieved by such refusal, this Appeal.

### GROUND OF APPEAL

- (1) That the action of the learned CPIO in not providing the information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005.
- (2) That the information sought by the appellant is not exempted under Section 8 or 9 or any other provisions of the RTI Act, 2005 and therefore, there was no valid cause or reason or ground for not providing the information.
- (3) That the inaction of the learned CPIO is in violation of Sections 7(1) and 7(2) of the RTI Act, 2005 and is therefore, illegal. Such inaction is deemed to be a refusal to the request of the appellant without any reasonable cause or ground is illegal.
- (4) That the information sought neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (5) That the appellant is citizen of India and fulfilled all other requirements of the RTI Act and the Rules made thereunder and is entitled to the information in question.



- (6) That as per proviso to Section 8(1) of the RTI Act, 2005, the information which can not be denied to the Parliament or the State Legislatures shall not be denied to any person. The information sought by the appellant in the subject application is the one which cannot be denied to the Parliament or the State Legislatures and hence it cannot be denied or refused to the appellant.
- (7) The delay in filing the appeal has been due to the reasons beyond the control of the Appellant as he was told by the CPIO that the information is being gathered and hence there is sufficient cause for condoning the delay.
- (8) That the learned CPIO has not provided the information in time and therefore, he is also liable for penalty under Section 20 of the RTI Act, 2005.

#### PRAYER

Under the circumstances, the appellant prays ad under :

- (a) That the CPIO may be directed to provide the information as sought by the appellant.
- (b) That the delay in filing the Appeal may kindly be condoned.
- (c) That the penalty may be imposed under Section 20 of the RTI Act, 2005 for failure to provide the information.
- (d) Any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (e) A personal hearing may be granted to the appellant before deciding the appeal.



Signature of Appellant  
Telephone No. : 9810077977  
24651101

Place : New Delhi

Dated : 01-08-2009

APPELLATE AUTHORITY RTI ACT  
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
West Block No. 2, R.K. Puram, New Delhi

Date of Hearing : 25.10.2013

Appeal No. 08-81(A)/2013  
CPIO ID No. (141/2008) 03-88/2008

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 87/2013.....

Heard Shri R.K. Jain, appellant in presence of CPIO Shri Rajender Prasad and Shri Kripa Shankar, A.R.

2. Appellant seeks to withdraw the appeal.
3. Appeal stands disposed of.

  
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.
2. Shri Rajender Prasad, AO/CPIO