

D/MO. 4602/CR-13
8/10/13

08-80(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

TIME BOUND

RTI

RTI/P-545/824/09/R7558

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

Sub: My RTI Application No. RTI/824/09, dated 24/4/2009

Dear Sir,

I have filed First Appeal No.1201 dated 18-06-2009 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

213/55/13

10/10/13

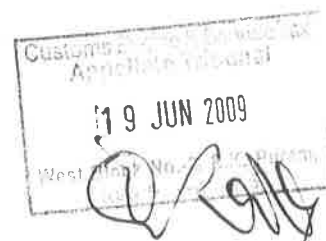
Appeal under Section 19 of the Right to Information Act, 2005

Ref. No. :RTI(824/2009)/Appeal/1201

Dated : 18-06-2009

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)	04-05-2009	
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	03-07-2009	
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 appellant	Copy of RTI Application dated 02-05-09 (Annexure 1)	

BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 02-05-2009 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.

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.
- (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) 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 as under :

- (a) That the CPIO may be directed to provide the information as sought by the 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 appellant before deciding the appeal.



Signature of Appellant

Telephone No. : 9810077977

24651101

Place : New Delhi

Dated : 18-06-2009

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. 08-80(A)/2013
CPIO ID No. 824/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....88/2013.....

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

DY NO. 4601/CX-13-
8/10/13

08-79(A)/2013

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

Excise, Customs & Service Tax Consultant

and author of

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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

TIME BOUND
RTI

RTI/P-501/768/09/R7553

05-10-2013

8/10/13
29-10

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/768/09, dated 6/4/2009

Dear Sir,

I have filed First Appeal No.1360 dated 29-09-2009 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

212/55/13
10/10/13

ofc

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

Ref. No. :RTI(768/2008)/Appeal/1360

Dated : 29-09-2009

To

1st 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
		(b) Address CPIO / Asstt. Registrar CESTAT West Block 2, 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	CPIO's Order No. 04-75/CESTAT/CPIO-ND/MS/2009 dated 22-09-2009
4.	Prayer or relief sought	See Prayer Clause at the end
5.	Last date for filing the appeal	22-10-2009
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 appellant	(a) Copy of RTI Application dated 06-04-2009 (<i>Annexure 1</i>) (b) Copy of CPIO's letter No.04-75/PIO CESTAT/MS/09, dated 18-4-09 (<i>Annexure 2</i>) (c) Copy of Assistant Registrar, SM, CESTAT's note dated 27-04-09 (<i>Annexure 3</i>) (d) Copy of the Appellant's letter dated 20-08-2009 (<i>Annexure 4</i>) (e) Copy of CPIO's Impugned Order No. 04-75/CESTAT/CPIO-ND/MS/2009, dated 22-09-2009 (<i>Annexure 5</i>)

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application on 06-04-2009 (*Annexure 1*) under Section 6 of the RTI Act, 2005 for supply of the following information:

- (A) *Please provide details and copies of the Monthly Statement furnished by the Court Masters at CESTAT, New Delhi, Mumbai, Kolkata, Chennai, Bangalore and Ahmedabad in pursuance to the Order of the President CESTAT as contained in Circular Letter No. 06/CESTAT/91CR dated 5/12/2003. The information may be provided for the period from 1-4-2005 to 31-3-2009.*
- (B) *Inspection of the records, documents, note sheets, registers, statements and files relating to File No. 06/CESTAT/91-CR and other connected files*
- (C) *Detailed information of the Action taken against the concerned Court Master who has not furnished the Monthly Statement in compliance of President's order referred to in (A) above.*

- (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 information sought by the Appellant is related towards submission of the periodical returns by the Court Masters and subsequent action thereon.
- (4) That the learned CPIO vide his letter dated 18-04-09 (*Annexure 2*) forwarded the application of the Appellant to the Asstt. Registrars of various Benches. In their response dated 27-04-09 (*Annexure - 3*) has clearly stated that the information sought therein is not related to the Single Member Bench. That the information sought by the Appellant is related to submission of reports, returns, of Court Masters, etc. and the CPIO has ~~apparently~~ wrongly sought the information from the Assistant Registrars of the various Benches. *knowingly*
- (5) That the learned CPIO has not taken required steps for procuring and providing the information and hence, this Appeal.

GROUND OF APPEAL

- 1) That the action of the CPIO is illegal, incorrect, arbitrary, *malafide* and ~~contrary~~ to the provisions of the RTI Act, 2005.
- 2) That the learned CPIO has not provided any information to the Appellant even though a period of more than five months has already elapsed.
- 3) That the learned CPIO has erred in seeking the information from the Assistant Registrar of the various Benches, whereas the information sought by the

Appellant is related to the submission of the reports by the Court Masters to the Registrar.

- 4) That the Learned CPIO, even after the letter dated 27-04-2009 (*Annexure 3*) of the Assistant Registrar, Single Member Bench, wherein he has stated that the matter does not pertain to the Single Member Bench, still continued to issue communication to the Assistant Registrar knowing fully that the information is not held by them.
- 5) That the information sought by the Appellant is in the nature of the Report submitted by the Court Masters, therefore, the information should have been readily available in the CESTAT itself. That the learned CPIO with malafide intention has not provided the information and addressed the letter to the unconcerned persons and made no sincere and serious efforts for obtaining and providing the information.
- 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 as under:

- (a) That the complete records of the RTI Application and information in question may be summoned and the CPIO may be directed to provide information as sought in the said RTI Application.
- (b) A personal hearing may be granted to the appellant before deciding the appeal.
- (c) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.



Signature of Appellant

Telephone No. : 9810077977

24631491

Fax No. 011-24635243

Place : New Delhi
Dated : 29-09-2009

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. 08-79(A)/2013
CPIO ID No. 04-75/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 8/10/2013

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

Dy No. 4600/42-13
8/10/13

08-78(A)/2d3

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

Excise, Customs & Service Tax Consultant

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

NEW DELHI - 110 003.

PHONE : 24651101

MOBILE : 9810077977

Sr/Da-14

TIME BOUND
RTI

RTI/P-501/186/08/R7515
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/186/08, dated 29/10/2008

Dear Sir,

I have filed First Appeal No. 1287 dated. 24-8-2009 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,

[R.K. Jain]

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

Encl: As above

211/55/13
10/10/13

81 L

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

Ref. No. : RTI(186/2008)/Appeal/1287
Dated : 24-08-2009

To

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

[Handwritten signature]

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
		(b) Address	CPIO / Asstt. Registrar CESTAT West Block 2, R.K.Puram New Delhi - 110 066
2.	Date of submission of application (Copy of application attached)	29-10-2008	
3.	Details of the order appealed against	CPIO's Order No.03-100/PIO/CESTAT/MS/2008, dated 3-8-09	
4.	Prayer or relief sought	See Prayer Clause at the end	
5.	Last date for filing the appeal	04-09-09	
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 appellant	(a) Copy of RTI Application dated 29-10-2008 (<i>Annexure 1</i>) (b) Copy of CPIO's letter No.03-100/PIO/CESTAT/MS/2008, dated 18-11-08 (<i>Annexure 2</i>) (c) Copy of Appellant's letter dated 06-12-2008 (<i>Annexure 3</i>) (d) Copy of Appellant's reminder letter dated 08-01-2009 (<i>Annexure 4</i>)	

	<p>(e) Copy of Appellant's reminder letter dated 12-03-2009 (<i>Annexure 5</i>)</p> <p>(f) Copy of Appellant's reminder letter dated 08-04-2009 (<i>Annexure 6</i>)</p> <p>(g) Copy of Appellant's reminder letter dated 27-04-2009 (<i>Annexure 7</i>)</p> <p>(h) Copy of Appellant's reminder letter dated 08-06-2009 to the Second CPIO (<i>Annexure 8</i>)</p> <p>(i) Copy of Appellant's reminder letter dated 08-06-2009 (<i>Annexure 9</i>)</p> <p>(j) Copy of Appellant's reminder letter dated 04-07-2009 (<i>Annexure 10</i>)</p> <p>(k) Copy of Appellant's last reminder letter dated 14-07-2009 (<i>Annexure 11</i>)</p> <p>(l) Copy of CPIO's impugned Order No.03-100/PIO/ CESTAT/MS/ 2008, dated 3-8-09 (<i>Annexure 12</i>)</p>
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BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application on 29-10-2008 (*Annexure 1*) under Section 6 of the RTI Act, 2005 for supply of the following information:

Please provide me the following details inspection and the copies of the records relating to Shri S.K.Verma, Assistant Registrar:

- "(A) Inspection of the service records relating to Shri S.K. Verma
- (B) Copies of the appointment orders and subsequent postings and transfer orders
- (C) All memos, charge sheets or details of explanations called and details of action taken with copies thereof with replies thereof.
- (D) Details and copies of the complaints received against Shri S.K. Verma and action taken thereon.
- (E) Details of various leaves including study leave availed by Shri S.K. Verma during service period along with copies of leave applications.
- (F) Details of the qualifications acquired during service period with CESTAT, and the copies of the applications and correspondence in this regard received from Shri S.K. Vema or from others and sent to him or others, including Educational institutions or Universities.
- (G) Details and copies of the intimation regarding litigation filed by him or against him.
- (H) Details of the period of unauthorized absence during his entire service period and also details of the regularization of the same.

- (I) *Complaints or any proceedings received/instituted against Shri S.K. Verma during his deputation period to other Departments/ organizations/offices.*
- (J) *Details relating to his repatriation to the cadre before the completion of the deputation period."*

- (2) The appellant vide para 5 also made a declaration that the information sought for is not exempted under Section 8 & 9 or any other provisions of the RTI Act, 2005 and also stated that to the best of knowledge of the appellant, the information pertains to the office of the CPIO in question.
- (3) That the appellant received a letter dated 18-11-2008 (**Annexure 2**) from the learned CPIO transferring part of the application to Debts Recovery Tribunal-II, New Delhi for providing the information with regard to two points only, whereas the appellant sought information under ten different points.
- (4) After receipt of the letter of the learned CPIO as referred above, the Appellant sent a letter dated 06-12-2008 (**Annexure 3**) to the CPIO requesting for providing the information whatever is available in his Office.
- (5) The learned CPIO has not responded and the appellant sent another reminder dated 8-1-09 (**Annexure 4**) and thereafter, the appellant continued sending reminders vide his letters dated 12-03-09, 8-4-09, 27-04-09, 8-6-09, 4-7-09 and the last reminder was sent on 14-07-09 and copies of all these letters are enclosed as **Annexures 5 – 11**.
- (6) Since the CPIO had remained silent and had neither responded to the communication of the Appellant nor provided the information sought, hence the Appellant filed an Appeal No. RTI(186/2008)/Appeal/1238, dated 21-07-09 and after filing of the appeal, the learned CPIO passed an order dated 3-8-09 (**Annexure 12**) providing incomplete and incorrect information and hence this appeal.

GROUNDS OF APPEAL

- 1) That the action of the learned CPIO in not providing complete and correct information to the appellant is illegal and contrary to the spirit of the provisions of the RTI Act, 2005. That the learned CPIO has provided incomplete and incorrect information and has not invoked the provisions of Section 10 wherever he should have provided the information after severing the records and that shows utter

malafide on his part to deny the information claiming exemptions which are not available to the respective information.

- 2) That the learned CPIO has erred in rejecting the request of the appellant vide para 4(A) of his application, claiming exemption under Section 8(1)(j), as the entire service records of a Government Officer has a direct relation with his official work and that is why these records are kept by the Public Office. These records have the relation with public activity and their disclosure does not cause unwarranted invasion of the privacy of the individual. Moreover, their disclosure is in the larger public interest. As per Section 10, if there is any information in the Service Records, which the CPIO feel cannot be disclosed to the Appellant, the rest of the information should have been provided.
- 3) That the learned CPIO has erred in rejecting the information sought vide para 4(B) & 4(C) by applying exemption under Section 8(1)(h) of the RTI Act. The Appellant has asked information such as memos, charge sheets, explanations and details of action taken with copies thereof. The information sought relates from the date of joining of Shri S.K.Verma till date and the CPIO has not even provided the information in which the matter has already been closed. The CPIO has withheld the information to protect Shri S.K.Verma as in number of matters, the memos issued to him, long back have been finalized or not pending for investigation/enquiry. The CPIO should have atleast provided the details of the information which are even not provided
- 4) The learned CPIO has erred in denying the information sought vide para 4(D) of the application, by claiming exemption under Section 8(1)(h) of the RTI Act. The Appellant has asked for copies of complaints received against Shri S.K.Verma and action taken thereof from the date of his joining till date. Section 8(1)(h) is applicable only when an investigation is pending. Such is not the case in the present situation. The CPIO is misusing the inapplicable exemption only to deny the information to the Appellant. The Appellant sought information from the date of joining of Shri S.K.Verma till date. Therefore, he should have provided complete information in relation to the closed matter and should have provided the complete details of the matter which are pending against him.
- 5)

- 6) The learned CPIO has erred in not providing copies of the leave applications and complete details about the leave of Shri S.K.Verma as sought in para 4(E) of the application the information provided is only up to 09-02-2007. Further information has been withheld by him and is being denied with malafide intention.
- 7) The learned CPIO has not provided the information whether the qualification acquired by Shri S.K.Verma was after joining the service nor has supplied copies of his application or the communications received from the University. The CPIO has *malafidely* not dealt with the information sought by applicant. The CPIO is withholding information in order to cover up the lapses in this regard.
- 8) The learned CPIO has erred in not providing complete information sought by the Appellant regarding intimation of litigation filed by him or against him. The information sought by the Appellant was not only in relation to litigation of Shri S.K.Verma, but related to litigation by Shri S.K.Verma and all others. The CPIO has not provided complete information in this regard.
- 9) That the learned CPIO has not provided complete information as sought by the Appellant vide 4(H) of his application. The Appellant understands that Mr.S.K.Verma has been suspended in the year 2008 for unauthorized absence without leave. No information in this regard has been provided. Therefore, the Appellant desires to undertake the inspection of the complete records in this regard.
- 10) That the learned CPIO, inspite of the Appellant informing him of the change in address of the DRT, has taken no steps to send the request to the DRT-2 in this regard. The CPIO is withholding and suppressing the information to side-by and shield Shri S.K.Verma, who stated to have been repatriated because of the charges of misbehaviour and other irregularities committed. The Appellant, therefore, is entitled to full information and full inspection of the records.
- 11) That the CPIO is malafidely denying the information is also evident from the fact that he remained silent for nine months and even now provided incomplete information, which also attracts penal provisions of the RTI Act.

- 12) 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 original records of the information in question may be summoned and perused, including the records relation to the RTI Application in question.
- (b) CPIO may be directed to provide information immediately.
- (c) That the penalty be imposed u/s 20(1) of the RTI Act and disciplinary action be directed under Section 20 (2) of the RTI Act on the CPIO for malafidely delaying and denying the information to appellant and for not dealing with the application properly for nine months under RTI Act, 2005.
- (d) The appeal may be heard on priority basis and the appellant may be granted a personal hearing before the matter is decided.
- (e) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.



Signature of Appellant

Telephone No. : 9810077977

24651101

Fax No. 011-24635243

Place : New Delhi

Dated : 24-08-2009

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. 08-78(A)/2013
CPIO ID No. 03-100/2008

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 8.5/2013.....

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

2. Appeal already stands decided by the FAA on 11.5.2010.


(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. 4599/ER-12
8/10/13

08-77(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

TIME BOUND
RTI

RTI/P-537/1867/09/R7574

05-10-2013

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



Sub: My RTI Application No. RTI/1867/09, dated 4/7/2009

Dear Sir,

I have filed First Appeal No.1276 dated 24-08-2009 under RII. 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

210/55/13
10/10/13

014

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

Ref. No. :RTI(1867/2009)/Appeal/1276

Dated : 24-08-2009

To

Hon'ble 1st Appellate Authority under RTI &
Hon'ble Member (Judicial)
CESTAT
2, West Block
R.K. Puram
New Delhi -110 066

25 AUG 2009

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)	04-07-2009	
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	04-09-2009	
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 appellant	Copy of RTI Application dated 04-07-09 (Annexure 1)	

BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 04-07-2009 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) 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 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 appellant before deciding the appeal.



Signature of Appellant

Telephone No. : 9810077977

24651101

Fax No. 011-2463524

Place : New Delhi

Dated : 24-08-09

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. 08-77(A)/2013
CPIO ID No(1867/2009) 04-152/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order...84/2013.....

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

2. Appeal already stands decided by the FAA on 23.12.2009.


(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

08-76(A)/2013

Dyno. 4598/C2-13
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, Bhishm Pitamah Marg,
Opp. ICICI Bank of Defence Colony,

NEW DELHI - 110 003.

PHONE : 24651101

MOBILE : 9810077977

TIME BOUND
RTI

RTI/P-501/661/09/R7544

05-10-2013

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

8 OCT 2013

Sub: My RTI Application No. RTI/661/09, dated 25/2/2009

Dear Sir,

I have filed First Appeal No.1254 dated 13-08-2009 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,

S. S.
A. K. V.

Yours faithfully,


[R.K. Jain]

ps

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

Encl: As above

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

Ref. No. :RTI(661/2009)/Appeal/1254

Dated : 13-08-2009

To

Hon'ble 1st 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)	25-02-2009	
3.	Details of the order appealed against	F.No.4-50/CESTAT/CPIO/ND/MS-2009, dated 31-07-2009 (ID No.50/2009)	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	30-8-2009	
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 appellant	1) Copy of RTI Application dated 25-02-2009 (<i>Annexure 1</i>) 2) Copy of CPIO's letter dated 09-03-2009 (<i>Annexure 2</i>) 3) Copy of CPIO, CESTAT, Ahmedabd's letter dated 25-03-2009 (<i>Annexure 3</i>) 4) Copy of CPIO, CESTAT, Chennai's letter dated 25-03-2009 (<i>Annexure 4</i>)	

209/55/13

10/10/13

		5) Copy of CPIO, CESTAT, Bangalore's letter dated 15-04-2009 (Annexure 5) 6) Copy of 1 st CPIO's letter dated 31-07-2009 (Annexure 6)
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BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 25-02-2009 (See **Annexure 1**) under Section 6 of the RTI Act, 2005 requesting for certain information as specified in para 4 thereof.
- (2) 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 & 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 learned CPIO has sent a letter No.04-50/CESTAT/CPIO-ND/MS/2009, dated 9-3-09 (**Annexure 2**) advising CPIO/Asstt. Registrar, CESTAT, Ahmedabad, Bangalore, Chennai, Kolkata & Mumbai for providing the information sought by the Appellant in relation to listing and composition of cases before the Larger Bench, etc, whereas the said information had been available at the CESTAT HQ at New Delhi. This was done with malafide intention of delaying information to the Appellant.
- (4) The Appellant received incomplete information from CESTAT, Ahmedabad vide letter dated 25-3-09 (**Annexure 3**), from CESTAT, Chennai vide letter dated 25-3-09 (**Annexure 4**), from CESTAT, Bangalore vide letter dated 15-04-2009 (**Annexure 5**) and from CESTAT, Delhi vide letter dated 31-07-09 (**Annexure 6**).
- (5) That since the information provided by the CPIO, CESTAT, New Delhi is incomplete, therefore, the Appellant being aggrieved by the said order, hence this appeal.

GROUND OFS OF APPEAL

- (1) That the action of the learned CPIO in not providing the complete 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 Shri Mohinder Singh, CPIO and Asstt. Registrar, CESTAT, New Delhi firstly erred in not providing the information from CESTAT, New Delhi in as much as that all references for constitution of Larger Benches are dealt with by the CESTAT HQ at New Delhi. Therefore, all policies and procedures regarding listing, composition and constitution of Larger Benches are dealt with at Delhi. The learned CPIO instead of providing the information, deliberately asked for the information to be supplied by the CPIOs ^{from the} at Regional Benches.
- (4) That the Appellant needed a complete list of the all Larger Bench cases/ references pending where Larger Benches have already been constituted and also list of the Larger Bench cases pending where Larger Benches have not been constituted or where the Larger Benches have been ^{delivered} revised or declined by the President, CESTAT. But the said information has not been provided by the learned CPIO, therefore, the CPIO has denied the information by providing incomplete information.
- (5) That the Appellant moved an application on 25-02-2009 and has not so far been provided complete information, therefore, the learned CPIO is liable for penal action under Section 20 of the RTI Act.
- (6) That the Appellant has sought information in five different categories in his application dated 25-02-2009, but the learned CPIO has not provided the complete information as sought by the Appellant, hence it is considered as deemed refusal also.
- (7) This is without prejudice to the right of the applicant appellant to add or later or 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 CPIO may be directed to provide the information as sought by the 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 appellant before deciding the appeal.



Signature of Appellant
Telephone No. : 9810077977
24651101

Place : New Delhi

Dated : 13-08-2009

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. 08-76(A)/2013
CPIO ID No. 04-50/2009

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order...83/...2013.....

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

2. Appeal is withdrawn by the appellant.
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

08-75(A)/2013

DY. No. 4327/C.R-13
19/9/13First Appeal under Section 19 of the Right to Information Act, 2005

Ref. No. : RTI/P-537/(4991/13)/Appeal/5853

Dated : 17-09-2013

Shri Sahab Singh,
Hon'ble 1st Appellate Authority Under RTI Act, 2005,
Customs, Excise & Service Tax Appellate Tribunal,
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 Naresh Kumar, CPIO & Deputy Registrar, (b) Address Customs Excise & Service Tax Appellate Tribunal, West Block 2, R.K.Puram, New Delhi - 110066
2.	Date of submission of application (Copy of application attached)	30-03-2013
3.	Details of the order appealed against	RTI/P-195/4991/13/R7254 dated 5-9-2013
4.	Prayer or relief sought	See Prayer clause at the end
5.	Last date for filing the appeal	5-10-2013
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	(1) Copy of RTI application dated 30-3-2013. (Annexure-1) (2) Copy of CPIO's letter dated 16-4-2013 with copy of the Deemed CPIO, Shri Raj Kumar (Annexure-2)

208/55/13
10/10/13SPS to Hon'ble
FAA
20/9

		(3) Copy of appellant's letter dated 25-4-2013 (Annexure-3) (4) Copy of appellant's letter dated 16-5-2013 (Annexure-4) (5) Copy of appellant's letter dated 5-9-2013 (Annexure-5) (6) Copy of Inspection Note No. 474 dated 29-4-2013 (Annexure-6)
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BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 30-03-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide inspection of all records, documents, correspondence, note sheets, files reports relating to the records held by Mrs. Archana Wadhwa, Inquiring Officer against Shri S.K. Verma in the matter of charge sheet relating to unauthorised absent [File No. 24(3)/CONF/CESTAT/S.K.V./Admn-2008].*

(B) *Please provide inspection of all records, documents, correspondence, note sheets, files reports relating to the records held by Shri Raj Kumar, Presenting Officer in the inquiry against Shri S.K. Verma in the matter of charge sheet relating to unauthorised absent [File No. 24(3)/CONF/CESTAT/S.K.V./Admn-2008].*

Note: The information in question is also held by Mrs. Archana Wadhwa, Member (J) and Inquiring Officer and by Raj Kumar, SPS and Presenting Officer, therefore this application may also be forwarded to them u/s 5(4) and 5(5) of the RTI Act.

(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 by his letter dated 16-4-2013 (Annexure-2) forwarded a copy of the report dated 16-4-2013 of Deemed CPIO Shri Raj Kumar, SPS. The appellant by his letter dated 25-4-2013 (Annexure-3) forwarded a Pay Order No. 031107 dated 19-4-2013 for Rs. 1,068/- for supply of 534 pages of information. When the copies of the information was not received for the period of nearly 1 month, the appellant sent a reminder letter dated 16-5-2013 (Annexure-4). The appellant did not receive any response or information from the CPIO till 1st week of September, 2013 inspite of having made the payment for the copying fees. The appellant by his reminder letter dated 5-9-2013 requested the CPIO to provide the information free of cost u/s 7(6) but till date no response has been received hence the appellant being aggrieved by the said order of the CPIO is filing the present appeal.

GROUND OF APPEAL

- (1) That the order in question of the learned CPIO is incorrect and illegal and contrary to the provisions and spirit of the RTI Act, 2005 hence liable to be set aside.
- (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 CPIO is deliberately and malafidely not providing the information inspite of the appellant having already paid the copying fees. The CPIO has not even responded to the letter dated 25-4-2013 of the appellant and reminder letters and 15-5-2013 and 5-9-2013. This also exhibits his malafide in obstructing the information without any reasonable cause. Therefore the CPIO may be directed to provide the information free of charge u/s 7(6) of the RTI Act, within time bound frame
- (4) That the Ld. CPIO has erred in not providing the information to the appellant though as per the provisions of the RTI Act, the appellant is

entitled to information as sought by him. Therefore, CPIO be directed to provide the information to the appellant within time bound frame.

- (5) That the information sought is neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (6) 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.
- (7) 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.
- (4) The CPIO has deliberately and malafidely provided incomplete and incorrect information with a view to cause obstruction to the information without any reasonable cause. Hence, he is liable for penal action under section 20 of the RTI Act, but the First Appellate Authority has no powers to take penal action u/s 20 of the RTI Act, hence appellant reserves his right to file a direct complaint to the CIC .
- (8) That a personal hearing may be granted to the appellant before deciding the present appeal.
- (9) This is without prejudice to the right of the appellant to add, alter or modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing or till the appeal is disposed of.

PRAYER

Under the circumstances, the appellant prays as under:

- (a) That the Original Records may be summoned and perused.

- (b) That the order of the CPIO may be set aside and he may be directed to provide the information in question within time bound frame.
- (c) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) That 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 : 17-09-2013

o/c
Annu B 9

Application under Section 6 of the Right to Information Act, 2005

Ref. No. :RTI/P-195/4991/13

Dated : 30-3-2013

To

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066

Customs Excise & Service Tax Appellate Tribunal	
1 APR 2013	
West Block 2,	R.K. Puram,
New Delhi-110066	

vijay kumar 1/4/13

1.	Name of the Applicant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003
	(b) Phone Nos.	09810077977, 011-24651101, 011-24690707
	(c) Fax No.	011-24635243
3.	Whether a Citizen of India	Yes
4.	Particulars of Information	
	Details of information required	<p>(A) Please provide inspection of all records, documents, correspondence, note sheets, files reports relating to the records held by Mrs. Archana Wadhwa, Inquiring Officer against Shri S.K. Verma in the matter of charge sheet relating to unauthorised absent [File No. 24(3)/CONF/CESTAT/S.K.V./Admn-2008].</p> <p>(B) Please provide inspection of all records, documents, correspondence, note sheets, files reports relating to the records held by Shri Raj Kumar, Presenting Officer in the inquiry against Shri S.K. Verma in the matter of charge sheet relating to unauthorised absent [File No.24(3)/CONF/CESTAT/S.K.V./Admn-2008].</p> <p>Note: The information in question is also held by Mrs. Archana Wadhwa, Member (J) and Inquiring Officer and by Raj Kumar, SPS and Presenting Officer, therefore this application may also be forwarded to them u/s 5(4) and 5(5) of the RTI Act.</p> <p>Note:- Please provide pointwise information/ response for each of above points.</p>

Appellate seeks to withdraw its appeal. Appeal stands disposed of. 25/4/13

5.	I state that the information sought is covered under RTI Act and does not fall within the exemptions contained in sections 8 or 9 or any other provisions of the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office. Information is being sought in larger public interest.
6.	A Postal Order No. 11F 028696 for Rs.10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.
8.	As per Section 7 of the RTI Act, 2005 information is to be provided within 30 days of the Application.



Signature of Applicant
Telephone No. : 9810077977
011-24651101, 24690707
Fax No. 011-24635243

Place : New Delhi
Encl. : as above
uk/-4991

Annexure 2

8-70,79,83,87,88

CESTAT/CP10-ND/NIC/2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO.2,
R.K.PURAM, NEW DELHI:110066.

Dt. 16/11/13

Id No. 8-70,79,83,87,88/13

To,

Shri R.K. Jain,

1512 Bhishma Pitamah Marg,

Wazir Nagar,

New Delhi:110003,

Subject: Information under Right to Information Act
2005.

Sir,

Please refer to your RTI application No. 4991, 4960, 6569, 6570, 6514
Dt. 04/13, 23-3-13, 9-4-13, 10-4-13 and our ID No. 8-70,79,83,87,88/13
received from S.P.S. Rajkumar containing 1 pages
is endorsed herewith for your reference please.

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

(Naresh Kumar)

Dy.Registrar/CPIO

To
Asstt. Registrar
Administration for Compliance of RTI applications

16/11/13

1 D - 08-87/13
1 D - 08-88/13
1 D - 08-89/13
1 D - 08-79/13
1 D - 08-70/13

**CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL,
WEST BLOCK NO.II, R.K. PURAM,
NEW DELHI-110066**

Dated 16th April, 2013

To,

The Asst. Registrar (Admn.),
CESTAT,
New Delhi

Sub: Handing over of files pertaining to inquiry in respect of Shri
S.K. Verma, Asst. Registrar.

Sir,

I understand that the above referred inquiry wherein I was
Presenting Officer has attained finality. Therefore, following files are
hereby handed over:

- i) Three folders, the inquiry proceedings year-wise (i.e. 206-07 -
32 pages, 2007-08 - 33 to 191 pages and 208-11-192 to
265 pages) received from Shri K.S. Ramesh, SPS, CESTAT,
Chennai, through the Registrar vide his letter dated
22.12.2011;
- ii) Two folders, one containing papers regarding inquiry for
unauthorised absence (1 to 129 pages) and the other folder
containing papers regarding inquiry for other charges (1 to
135 pages).

Yours faithfully,

(RAJ KUMAR)
Sr. P.S.

Copy to:

- ✓ 1) The Dy. Registrar (J) & CPIO,
CESTAT, New Delhi

For information with the request to transfer all RTI applications
filed by Shri R.K. Jain pertaining to inquiry of Shri S.K. Verma, A.R. to
the Asst. Registrar (Admn.).

- 2) Shri R.K. Jain,
1512-B, Bhisham Pitamah Marg,
Opp. ICICI Bank of Defence Colony, New Delhi-110 03
For information please.

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-195/4991/13/R5876

25-04-2013

Mr. Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K. Puram,
New Delhi - 110066

Sub: My RTI Application No. RTI/4991/13, dated 30/3/2013 *your ID no*

Dear Sir,

08-70, 79, 85, 87 88 ~~112~~ *[Signature]*

This refers to letter dated 16-4-2013 of Shri Raj Kumar, Sr. PS and Presenting Officer (**copy enclosed**). You are requested to provide the certified copies of the following papers:-

- | | |
|---|------------------|
| 1. Folder for inquiry proceeding 2006-2007 | 1 to 32 pages |
| 2. Folder for inquiry proceeding 2007-2008 | 33 to 191 pages |
| 3. Folder for inquiry proceeding 2008-2011 | 192 to 265 pages |
| 4. Folder regarding inquiry for unauthorised absent | 1 to 129 pages |
| 5. Other folder regarding inquiry for other charges | 1 to 135 pages |
| 6. Covers of all the 5 folders | 5 pages |

Total pages 534 pages

A Pay Order No. 031107 dated 19-4-2013 for Rs. 1068/- is enclosed herewith towards copying fees of 534 pages of information.

Thanking you,

Yours faithfully,

[Signature]

[R.K. Jain]

Encl: As above



Defence Colony New Delhi, New Delhi, 110021
IFS CODE - UTIB0000357

VALID FOR THREE MONTHS FROM THE DATE OF ISSUE
PAYMENT ORDER, NOT TRANSFERABLE

DATE
दिनांक

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PAY

ACCOUNTS OFFICER, DOR, MOF, NEW DELHI

OR ORDER / या उनके आदेश पर

One Thousand Sixty Eight only

RUPEES

रुपये

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PO Sr. No.

31107

केवल आदाता के खाते में
Payees A/c Only

अदा करें

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DEFENCE COLONY, NEW DELHI [DL]

AUTHORISED SIGNATORY
प्राधिकृत हस्ताक्षर कर्ता

AUTHORISED SIGNATORY
प्राधिकृत हस्ताक्षर कर्ता

Please sign above

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⑈031107⑈ 110211036⑈

12

o/c

Annexure 4

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 &

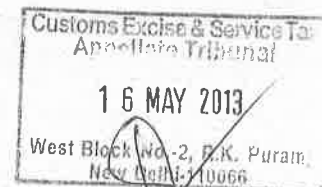
EXIM POLICY AND HANDBOOK OF PROCEDURE

FINAL REMINDER

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

RTI/P-195/4991/13/R6132
16-05-2013

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066



Sub: My RTI Application No. RTI/4991/13, dated 30/3/2013

Dear Sir,

This is further to my letter No.RTI/P-195/4991/13/R5876 dated 25-4-2013, copy of which is enclosed herewith for your ready reference. I regret to inform that so far I have neither received any information nor any response inspite of my repeated reminders. You are once again requested to provide the requisite information at the earliest, as under section 7 of the RTI Act, the information is to be provided within 30 days of the RTI application and the said period of 30 days has already expired.

In case you are not willing to provide the information in question, kindly pass an appealable order, otherwise I shall be constrained to file an appeal/complaint in the matter.

Thanking you,

Yours faithfully,


[R.K. Jain]

Encl: As above
a.k

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Annew S

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.

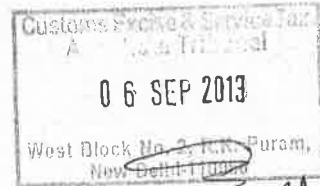
PHONE : 24651101

MOBILE : 9810077977

RTI/P-195/4991/13/R7254

05-09-2013

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066



Sub: My RTI Application No. RTI/4991/13, dated 30/3/2013

Dear Sir,

This refers to my letter No. **RTI/P-195/4991/13/R5876** dated 25-4-2013 (**copy enclosed**) remitting a sum of Rs. 1068/- for supply of 534 pages of information and subsequent reminder No. **RTI/P-195/4991/13/R6132** dated 16-5-2013 (**copy enclosed**). Though a period of 4 months has already lapsed, you have not provided the information. In these circumstances, you are requested to refund the said amount within a week, failing which I shall move for recovery of the said amount.

Since you have failed to provide the information within 30 days of the payment, you are now required to provide the said information free of charges u/s 7(6) of the RTI Act. Kindly provide the information within a week.

Thanking you,

Yours faithfully,

[R.K. Jain]

Encl: As above

25/9

Annex 6

RTI - INSPECTION NOTE

No. 474

Date 28/4/2012

The inspection of following files undertaken at CESTAT (Adm)
under my RTI Application No. 4991/2012 (Your Reference
No. 11N/08-70).

Please also provide copies of information requested hereunder :-

Sl. No.	File No. Inspected	Request for certified copies of information
(a) ①	<u>Folder 2006-07 - Page 1</u>	File Cover <u>32</u>
②	<u>Folder 2008-09 - Equip</u>	Note sheet Pages <u>16/19/1</u>
③	<u>XLP 2009 192 to 226</u>	Correspondence Pages <u>3</u>
(b) ④	<u>24(3)/Conf/CESTAT/</u> <u>SKV-AR Adm CB</u>	File Cover _____
⑤	<u>24(2)/DISP/INQ/SK</u>	Note sheet Pages _____
(c) ⑥	<u>Ltr. Sd. Secy. P. 10</u> <u>relating to inquiry</u>	Correspondence Pages _____
(d)		File Cover _____
	<u>[Request for the supply of above copies</u> <u>already sent separately]</u>	Note sheet Pages _____
		Correspondence Pages _____

- "No Part" file made available for inspection.
- Please intimate fee for supply of copies of information.
- Postal Order/DD No. _____ for Rs. _____ enclosed as coping fee @ Rs. 2/- per page.
- Observations _____


(R.K. Jain)

1512-B, Wazir Nagar
Kotla Mubarakpur, New Delhi - 110003
Ph. : 9810077977, 26451101 : Fax : 24635243

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. 08-75(A)/2013
CPIO ID No. (4991/2013) 08-070/2013

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 8.2/2013

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. 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

08-74(A)/2013

**First Appeal under Section 19 of the Right to Information Act, 2005
against Deemed Refusal**

Ref. No. : RTI/P-537/(7045/13)/Appeal/5878
Dated : 21-09-2013

To

Shri Sahab Singh,
Hon'ble 1st Appellate Authority Under RTI Act, 2005,
Customs, Excise & Service Tax Appellate Tribunal,
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 Naresh Kumar, CPIO & Deputy Registrar,
		(b) Address Customs Excise & Service Tax Appellate Tribunal, West Block 2, R.K.Puram, New Delhi - 110066
2.	Date of submission of application (Copy of application attached)	06-08-2013
3.	Details of the order appealed against	Appeal against deemed refusal
4.	Prayer or relief sought	See Prayer clause at the end
5.	Last date for filing the appeal	6-10-2013
6.	Appeal in time	Yes
7.	Copies of documents relied upon by the applicant	(1) Copy of RTI application dated 6-8-2013. (Annexure-1) (2) Copy of CPIO's letter dated 8-8-2013. (Annexure-2) (3) Copy of Appellant's letter dated 14-8-2013 to Asst. Registrar, Service Tax. (Annexure-3) (4) Copy of Appellant's letter dated 14-8-2013 to Asst. Registrar, Custom. (Annexure-4)

207/55/13
10/10/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 06-08-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) Please provide following information in relation to Appeal Nos. ST/1301/2011 & ST/279/2012 (ESPN)

(i) Copies of all Order sheets and records of proceedings.

(ii) Copies of all Vakalatnamas.

(iii) Copies of all Miscellaneous applications

(iv) Copies of after court cause list

(v) Copies of Notesheets put up by registry.

(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 provisions and spirit 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 appellant received letter dated 8-8-2013 (**Annexure-2**) of the CPIO to Asst. Registrar, Service Tax/Customs. The Appellant vide letters dated 14-8-2013 to Asst. Registrar, Service Tax (**Annexure-3**) and to Asst. Registrar, Customs (**Annexure-4**) requested the said authorities to provide the desired information within the period of 30 days as stipulated under Section 7(1) of the RTI Act, 2005. The Appellant has neither received any information nor any response from the said authority 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.
- (4) That the information sought is 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) This is without prejudice to the right of the appellant to add, alter or modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing.
- (8) That a personal hearing may be granted to the appellant before deciding the present appeal.
- (9) This is without prejudice to the right of the appellant to add, alter or modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing or till the appeal is disposed of.

PRAYER

Under the circumstances, the appellant prays as under:

- (a) That the Original Records may be summoned and perused.
- (b) That the order of the CPIO may be set aside and he may be directed to provide the information in question within time bound frame.
- (c) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) That 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 : 21-09-2013

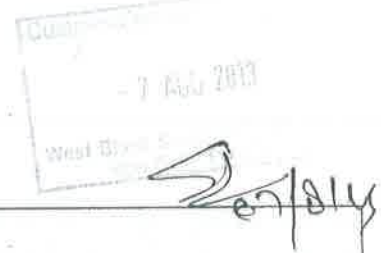
Application under Section 6 of the Right to Information Act, 2005

Ref. No. : RTI/P-195/7045/13

Dated : 6-8-2013

To

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066



1.	Name of the Applicant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003
	(b) Phone Nos.	09810077977, 011-24651101, 011-24690707
	(c) Fax No.	011-24635243
3.	Whether a Citizen of India	Yes
4.	Particulars of Information	
	Details of information required	<p>(A) Please provide following information in relation to Appeal Nos. ST/1301/2011 & ST/279/2012 (ESPN)</p> <p>(i) Copies of all Order sheets and records of proceedings.</p> <p>(ii) Copies of all Vakalatnamas.</p> <p>(iii) Copies of all Miscellaneous applications</p> <p>(iv) Copies of after court cause list</p> <p>(v) Copies of Notesheets put up by registry.</p> <p>Note:-Please provide point-wise information/ response for each of above points.</p>
5.	I state that the information sought is covered under RTI Act and does not fall within the exemptions contained in sections 8 or 9 or any other provisions of the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office. Information is being sought in larger public interest.	
6.	A Postal Order No. 11F 109385 for Rs. 10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.	

Handwritten notes:
CPIO is directed to provide the info within 2 weeks
24-10-13

Signature of Applicant
Telephone No. : 9810077977
011-24651101, 24690707
Fax No. 011-24635243

Place : New Delhi

Encl. : as above

asn/—7045

RTI-7045

4179 / CESTAT/CPIO-ND/NK/2013
Excise and Service Tax Appellate Tribunal
Block No 2, R.K.Puram, New Delhi-110 066

Dated: 08.8.13
ID No. 08-179/13

Subject: Information sought under RTI Act, 2005.

Re: RTI application of Shri /Smt. R.K. Jain
2005 vide No. 7045 dated 06.8.13 (copy)
in certain information are sought as mentioned
and in your section.

in terms of the provisions of Section 6(3) and
read with Section 5(5) of RTI Act 2005 the RTI
application No. 7045 dated 06.8.13 CPIO ID No. 08-179/13
forwarded herewith to the following officers as deemed CPIO with the
request to provide the correct and parawise information/inspection
on or before 28/8/13 directly to the applicant and intimate the
undersigned within the stipulated time failing which, you are
personally responsible for delay and penalty if any, under section 20
of RTI Act. You are, further requested to follow OM No.12/31/2013-
IR dated;12.02.2013 circulated on 23.05.2013

Encl:As above.

(Naresh Kumar)

Dy.Registrar/CPIO

To

1. Asst. Registrar Service Tax/Customs

2. _____

3. _____

4. _____

5. _____

6. _____

Copy to Sh. R.K. Jain 4172 B Bhishma Park
Nag, Wazir Nagar New Delhi 110013

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-195/7045/13/R7023

14-08-2013

Asstt. Registrar, Service Tax
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi
Delhi - 110066

Sub: My RTI Application No. RTI/7045/13, dated 6/8/2013

Dear Sir,

This refers to the letter F.No. 08-179/CESTAT/CPIO-ND/2013 dated 8-8-2013 of Mr. Naresh Kumar CPIO & Deputy Registrar,CESTAT, New Delhi – 110 066, transferring my aforesaid RTI application to you under section 5(4) read with section 5(5) of the RTI Act, 2005, for providing the information to me. As a Deemed CPIO, you are requested to kindly provide the information at the earliest as under section 7(1) of the RTI Act, information is to be provided within 30 days of the RTI Application

Thanking you,

Yours faithfully,



[R.K. Jain]

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-195/7045/13/R7024

14-08-2013

Asstt.Registrar, Custom
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi
Delhi - 110066

Sub: My RTI Application No. RTI/7045/13, dated 6/8/2013

Dear Sir,

This refers to the letter F.No. 08-179/CESTAT/CPIO-ND/2013 dated 8-8-2013 of Mr. Naresh Kumar CPIO & Deputy Registrar, CESTAT, New Delhi - 110 066, transferring my aforesaid RTI application to you under section 5(4) read with section 5(5) of the RTI Act, 2005, for providing the information to me. As a Deemed CPIO, you are requested to kindly provide the information at the earliest as under section 7(1) of the RTI Act, information is to be provided within 30 days of the RTI Application

Thanking you,

Yours faithfully,


[R.K. Jain]

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

Date of Hearing : 24.10.2013

Appeal No. 08-74(A)/2013
CPIO ID No. 08-179/2013

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order... 21/10/2013

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

2. CPIO is directed to provide the information within two weeks to the appellant.


(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

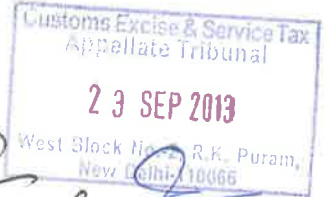
DP No. 4379/EX-13
23/9/13
SPS to Hon'ble
22/5

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

Ref. No. : RTI/P-537/(7031/13)/Appeal/5841

Dated : 20-9-2013

Shri Sahab Singh,
Hon'ble 1st Appellate Authority Under RTI Act, 2005,
Customs, Excise & Service Tax Appellate Tribunal,
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 Naresh Kumar, CPIO & Deputy Registrar (b) Address Customs Excise & Service Tax Appellate Tribunal, West Block 2, R.K. Puram, New Delhi - 110066
2.	Date of submission of application (Copy of application attached)	04-08-2013
3.	Details of the order appealed against	CPIO's letter F.No.8/2/CESTAT/Comp/08 dated 14-8-2013 received on 24-8-2013
4.	Prayer or relief sought	See Prayer clause at the end
5.	Last date for filing the appeal	24-9-2013
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	(1) Copy of RTI application dated 3-8-2013. (Annexure-1) (2) Copy of CPIO's letter dated 5-8-2013 (Annexure-2) (3) Copy of CPIO's letter dated 14-8-2013 (Annexure-3) (4) Copy of CPIO's letter dated 14-8-2013 (Annexure-4) (5) Copy of appellant's letter dated 26-8-2013 (Annexure-5)

206/SS/13
10/10/13

BRIEF FACTS OF THE CASE

- (1) The Appellant has filed an application dated 04-08-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
- (A) *Please provide the details of the amount sanctioned for computerisation / on account of computer hardware, software and consumables for CESTAT for the financial year 2009-10 to 2013-14.*
 - (B) *Please provide the details of the amount spent at CESTAT for computerisation / on account of computer hardware, software and consumables for the financial year 2009-10 to 2013-14 (upto August, 2013).*
 - (C) *Please provide the details of computerization of CESTAT, Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore as on 1-8-2013 and details of the further plans.*
 - (D) *Please provide details of the dates from which computer generated cause lists are issued for CESTAT, Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore.*
 - (E) *Please provide the information and details of the Benches at CESTAT, Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore, which are not issuing computer-generated cause list.*
 - (F) *Please provide basis and details of issue of non-computer generated cause list by Excise Branch of CESTAT at New Delhi and the action taken by the Registrar in this respect.*
 - (G) *Please provide details of the orders passed / issued by CESTAT Benches at Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore, but not uploaded on CESTAT website from 1-1-2013 till the date of providing the information and steps taken to ensure uploading of all order of CESTAT on its website.*

NOTE: The Registrar, Dy. Registrars and Asstt. Registrars of all the Benches of the CESTAT are also Holder of the information, therefore, my application may be forwarded/ transferred to them also u/s 5(4) and section 5(5) / section 6(3) of the RTI Act.

- (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 by his order dated 5-8-2013 (Annexure-2) transferred the said RTI application to Computer Section , Accounts Section, AR, Customs, AR, Excise and AR, Single Member besides others. The Accounts Officer provided some information vide his letter dated 14-8-2013 (Annexure-3). The CPIO further provided incomplete and incorrect information vide his letter dated 14-8-2013 (Annexure-4). The appellant by his reminder letter dated 26-8-2013 requested the CPIO to provide correct and complete information. The Appellant being aggrieved by the said order of the CPIO is filing the present appeal.

GROUND OF APPEAL

- (1) That the order in question of the learned CPIO is incorrect and illegal and contrary to the provisions and spirit of the RTI Act, 2005 hence liable to be set aside.
- (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 CPIO has not provided complete and correct information as sought by the appellant in the RTI application in question. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.

- (4) That the CD provided by the CPIO is not working properly. Consequently it was returned by the appellant vide his letter dated 26-8-2013. There is no further response of the CPIO in this regard. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information and CD in time bound frame.
- (5) That the Ld. CPIO has erred in not providing the information to the Appellant though as per the provisions of the RTI Act, the Appellant is entitled to information as sought by him. Therefore, the order of the CPIO is liable to be set aside with direction to provide the information to the Appellant within time bound frame.
- (6) That the information sought is neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (7) 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.
- (8) 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.
- (9) That a personal hearing may be granted to the Appellant before deciding the present appeal.
- (10) This is without prejudice to the right of the Appellant to add, alter or modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing or till the appeal is disposed of.

PRAYER

Under the circumstances, the Appellant prays as under:

- (a) That the Original Records may be summoned and perused.

- (b) That the order of the CPIO may be set aside and he may be directed to provide the information in question within time bound frame.
- (c) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the Appellant.
- (d) That 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 : 20-9-2013

c) C

Annexure-1

Application under Section 6 of the Right to Information Act, 2005

Ref. No. : RTI/P-195/7031/13

Dated : 3-8-2013

To

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066

1.	Name of the Applicant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003
	(b) Phone Nos.	09810077977, 011-24651101, 011-24690707
	(c) Fax No.	011-24635243
3.	Whether a Citizen of India	Yes
4.	Particulars of Information	
	Details of information required	<p>(A) Please provide the details of the amount sanctioned for computerisation / on account of computer hardware, software and consumables for CESTAT for the financial year 2009-10 to 2013-14.</p> <p>(B) Please provide the details of the amount spent at CESTAT for computerisation / on account of computer hardware, software and consumables for the financial year 2009-10 to 2013-14 (upto August, 2013).</p> <p>(C) Please provide the details of computerization of CESTAT, Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore as on 1-8-2013 and details of the further plans.</p> <p>(D) Please provide details of the dates from which computer generated cause lists are issued for CESTAT, Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore.</p> <p>(E) Please provide the information and details of the Benches at CESTAT, Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore, which are not issuing computer-generated cause list.</p> <p>(F) Please provide basis and details of issue of non-computer generated cause list by Excise Branch of CESTAT at New Delhi and the</p>

On the Appellate
Information A, C D E F
of which be report of B, D, E, F
will be provided to the
the officer to SPS/DA. 26-10-13
* available at Delhi

		<p>action taken by the Registrar in this respect.</p> <p>(G) Please provide details of the orders passed / issued by CESTAT Benches at Delhi, Mumbai, Chennai, Kolkata, Ahmedabad and Bangalore, but not uploaded on CESTAT website from 1-1-2013 till the date of providing the information and steps taken to ensure uploading of all order of CESTAT on its website.</p> <p>NOTE: The Registrar, Dy. Registrars and Asstt. Registrars of all the Benches of the CESTAT are also Holder of the information, therefore, my application may be forwarded/ transferred to them also u/s 5(4) and section 5(5) / section 6(3) of the RTI Act.</p>
5.	I state that the information sought is covered under RTI Act and does not fall within the exemptions contained in sections 8 or 9 or any other provisions of the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office. Information is being sought in larger public interest.	
6.	A Postal Order No. 11F 109371 for Rs. 10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.	
8.	As per Section 7 of the RTI Act, 2005 information is to be provided within 30 days of the Application.	



Signature of Applicant
Telephone No. : 9810077977
011-24651101, 24690707
Fax No. 011-24635243

Place : New Delhi

Encl. : as above

Na/7031

Annex 2

F.No. 08176 / CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal
West Block No 2, R.K.Puram, New Delhi-110 066

Dated: 08-12-13
ID No. 08-176/13

Subject: Information sought under RTI Act, 2005.

Sir,

Please refer to RTI application of Shri / Smt. R K Jain
under RTI Act 2005 vide No. 7031 dated 03-8-13 (copy
enclosed) wherein certain information are sought as mentioned
therein is related in your section.

Therefore, in terms of the provisions of Section 6(3) and
Section 5(4) read with Section 5(5) of RTI Act 2005 the RTI
application No. 7031 dated 03-8-13 CPIO ID No. 08-176/13 is
forwarded herewith to the following officers as deemed CPIO with the
request to provide the correct and parawise information/inspection
on or before 19-8-13 directly to the applicant and intimate the
undersigned within the stipulated time failing which, you are
personally responsible for delay and penalty if any, under section 20
of RTI Act. You are, further requested to follow OM No.12/31/2013-
IR dated;12.02.2013 circulated on 23.05.2013

Encl.As above.

(Naresh Kumar)

Dy.Registrar/CPIO

To

1. Computer Section Mr. Manoj Kumar WDC Delhi
2. Accounts office
3. CPIO Chennai, Kolkata, Mumbai, Bangalore, Ahmedabad
4. Dy. Registrar - Customs
5. Dy. Registrar - Excise
6. Dy. Registrar - Single Member

Copy to: Sh. R K Jain 15/12/13, Bhisham Pitambur Marg, Vasant Nagar
New Delhi

Annex 3


PNB-08-116/CESTAT/CPIO-ND/NIC/2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO.2,
R.K PURAM, NEW DELHI:110066.

Di 14/8/13
Id No. 8-116/13

To,
Shri R.K Jain,
1512 Bhishma Pitamah Marg,
Wazir Nagar,
New Delhi:110003,
Subject: Information under Right to Information Act
2005.
Sir,

Please refer to your RTI application No. 7031.
Dt. 03/8/13 and our ID No. 08-116/13 the information
received from Accounts Officer containing 1 pages
is endorsed herewith for your reference please.

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


(Naresh Kumar)
Dy.Registrar/CPIO

V-5742

F.No. 70(10)/CESTAT/Cash/RTI-08-176/2013
Customs Excise & Service Tax Appellate Tribunal
West Block No. 2, R.K.Puram, New Delhi-110066

Dated:-14/08/2013

To

✓ Sh.Naresh Kumar/CPIO
Dy. Registrar
CESTAT, New Delhi

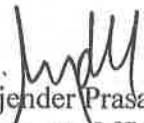
Sub:- Information under RTI Act-2005 I.D No. 8-176/2013 reg.

Sir,

Refer to your letter F.No. 08-176/CESTAT/CPIO-ND/NK/2013 dt. 05.08.2013 therein you have called for information as per request of RTI holder Sh. R.K.Jain application no. 7031/2013 dt. 03.08.2013 the point wise reply is as under:-

Point(A & B)	Fin. Year	Budget Grant for(I.T)	Expenditure During the Fin. Year
	2009-10	4030000-00	3019147-00
	2010-11	5343000-00	4980004-00
	2011-12	8000000-00	6754457-00
	2012-13	4600000-00	4563404-00
	2013-14	6000000-00	2944373-00(upto 31/07/2013)

Yours Faithfully


(Rajender Prasad)
Accounts Officer

Copy to:- Sh. R.K.Jain,1512-B, Bhisham Pitamah Marg, Wazir Nagar, New Delhi- for information.

Amrinder 4

F.No 8/2/CESTAT/Comp/08
CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST BLOCK NO.2, R.K. PURAM, NEW DELHI.

Dated: 14.08.2013

To

Shri R.K.Jain
1512-B, Bhism Pitamah Marg
Wazir Nagar, New Delhi-110003

Sub: RTI ID No 08-176/13

Refer: RTI/P-195/7034/13, dated 3/08/13

7037

Sir,

As per above RTI ID the information for the desired information point wise stated below.

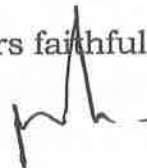
- A. The fund allotment is not allocated by the ministry as per the subject desired by the applicant though the fund allotted under this sections head is managed by the Accounts Section. It is therefore applicant may seek the information from the said section.
- B. Since the information desired is voluminous in nature applicant is requested to inspect the concerned file at convenient time and date with prior intimation to this section.
- C. Already provided the information in RTI ID 08-172/13
- D. Computer generated causelist is started from 1/6/2012 in Delhi whereas for other benches this matter is partially done or applicant is requested to obtain the information from the concerned bench.
- E. Maximum efforts are made to generate the causelist through the computer and we have achieved this target in Delhi and rest of the benches is also following the path with technical support of NIC. Accurate practicality will only be explored if the applicant is seeking the information from respective bench.

F. Please seek the information from Excise Branch AR

G. The orders are uploaded in the website regularly by Delhi bench, nevertheless few order are not displayed either the order is pending or some other issues exists. So applicant is requested to intimate the specific order so that corrective measure should be taken.

Please acknowledge the receipt of information

Yours faithfully



Naresh Kumar
Deputy Registrar (J)/~~CA~~ PO
Incharge Computer Section

OIC.

Annex 5

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.

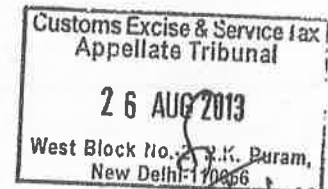
PHONE : 24651101

MOBILE : 9810077977

RTI/P-195/7034/13/R7135

26-08-2013

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066



Sub: My RTI Application No. RTI/7034/13, dated 4/8/2013

Dear Sir,

This refers to your letter F. No 8/2/CESTAT/Comp/08 dated 14-8-2013 and have noted the contents. You have deliberately and malafidely provided incomplete and incorrect information, for which I am separately filing first appeal as well as complaint to CIC. Your malafide is reflected from reply to point (A), wherein you have advised me to seek information from Accounts Section, whereas in relation to the information for point (B) which also relates to Accounts Section, you have claimed that the information is voluminous. This shows that you have dealt with the matter with the Accounts Section for point (B) and not for point (A). If you provide complete and correct information within 15 days, I can withdraw appeal and complaint.

The CD sent by you is not working properly. Hence we are returning herewith the same and request you to send fresh CD.

Thanking you,

Yours faithfully,

[R.K. Jain]

Encl: As above

asn

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

Date of Hearing : 24.10.2013

Appeal No. 08-73(A)/2013
CPIO ID No. 08-176/2013

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....80/2013.....

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

2. Appellant does not press the information in respect of Part (A), (C), (D), (E) and (F). Information in respect of (B) available at Delhi and (G) should be provided to the appellant within two weeks after obtaining from Sr.P.S/P.As.


(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

08-72(A)/2013

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

Ref. No. : RTI/P-537/(7034/13)/Appeal/5839

Dated : 19-09-2013



Shri Sahab Singh,
Hon'ble 1st Appellate Authority Under RTI Act, 2005,
Customs, Excise & Service Tax Appellate Tribunal,
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 Naresh Kumar, CPIO & Deputy Registrar, Customs Excise & Service Tax Appellate Tribunal, West Block 2, R.K. Puram, New Delhi - 110066
		(b) Address
2.	Date of submission of application (Copy of application attached)	04-08-2013
3.	Details of the order appealed against	CPIO's letter F.No.8/2/CESTAT/Comp/08 dated 14-8-2013
4.	Prayer or relief sought	See Prayer clause at the end
5.	Last date for filing the appeal	14-9-2013
6.	Whether appeal in Time	Yes
7.	Copies of documents relied upon by the applicant	(1) Copy of RTI application dated 3-8-2013. (Annexure-1) (2) Copy of CPIO's letter dated 5-8-2013. (Annexure-2) (3) Copy of CPIO's letter dated 13-8-2013 (Annexure-3) (4) Copy of CPIO's letter dated 14-8-2013 (Annexure-4) (5) Copy of CPIO's letter dated 02-9-2013 (Annexure-5). (6) Copy of CPIO's letter dated 04-9-2013 (Annexure-6).

205/55/13
10/10/13

SPS to Hon'ble
FAA
23/9/13

BRIEF FACTS OF THE CASE

(1) The Appellant has filed an application dated 04-08-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide copies of File Opening Register (except files open for appeals/applications) at CESTAT New Delhi from the 1 January 2005 till the date of providing the information.*

(B) *Please provide copies of file opening register for account section at CESTAT New Delhi from 1 January 2005 till the date of providing the information.*

(C) *Please provide list of all pending appeals, applications and cases for all benches of CESTAT at New Delhi as on 1st of August 2013 or any other date of August 2013, giving name of parties, date of filing, amount of duty, penalty interest or fine involved, wherever available, name of advocate, if any. Information may be provided in digital form on CD or any other form it is available or convenient to you.*

(D) *Please provide list of Larger Bench cases pending at CESTAT New Delhi as on 1st of August 2013 or as on the date of providing the information as is convenient to you.*

(E) *Please provide datewise list of matters remanded from the High Court/Supreme Court of India and pending at CESTAT New Delhi as on 1st of August 2013.*

(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 by his order dated 5-8-2013 (**Annexure-2**) forwarded/transferred the application to the Registrar, Central Registry, Accounts Section, Assistant Registrars of Excise Branch, Customs Branch and Single Member and Shri Manoj Kumar, UDC, Computer Section. The

CPIO by his letter dated 13-8-2013 (**Annexure-3**) forwarded the information received from the Accounts Officer in relation to point (B) of the RTI Application. The CPIO by his letter dated 14-8-2013 (**Annexure-4**) deliberately and malafidely denied most of the information or provided incorrect information with a view to suppress the same. The CPIO by his letter dated 2-9-2013 (**Annexure-5**) provided Report dated 2-9-2013 of the Deemed CPIO of the Excise Branch. The CPIO by his letter dated 4-9-2013 (**Annexure-6**) claimed that the information sought in point (B) is voluminous hence offered inspection only and he also returned the CD. The Appellant being aggrieved by the said order of the CPIO is filing the present appeal.

GROUND OF APPEAL

- (1) That the order in question of the learned CPIO is incorrect and illegal and contrary to the provisions and spirit of the RTI Act, 2005 hence liable to be set aside.
- (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 CPIO has erred in claiming that the information sought in point (A) may be obtained by the Appellant from the Accounts Section whereas it was the responsibility of the CPIO to procure and provide the information from the Accounts Section. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.
- (4) That the CPIO has erred in claiming that the information sought in point (B) is voluminous whereas the same CPIO by his letter dated 13-8-2013 (**Annexure-3**) has provided similar information from the Accounts Section. Therefore, the claim of the CPIO is wrong and without any substance. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound

frame.

- (5) That the CPIO and the Deemed CPIOs are not providing the information even through a period of 30 days have already been lapsed. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.
- (6) That the Ld. CPIO has erred in not providing the information to the Appellant though as per the provisions of the RTI Act, the Appellant is entitled to information as sought by him. Therefore, the order of the CPIO is liable to be set aside with direction to provide the information to the Appellant within time bound frame.
- (7) That the CPIO has not provided the complete information as sought by the appellant in point (C) of the RTI Application. The CPIO has provided information for limited period and is withholding the information for major part of the period. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.
- (8) That the CPIO and the Deemed CPIOs had deliberately and malafidely not provided the information sought by the Appellant in point (D) of the Application. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.
- (9) That in relation to point (D), (E) of the RTI Application, the CPIO has referred to the information not relating to these points. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.
- (10) That the information sought is neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (11) 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.

- (12) 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.
- (13) That a personal hearing may be granted to the Appellant before deciding the present appeal.
- (14) This is without prejudice to the right of the Appellant to add, alter or modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing or till the appeal is disposed of.

PRAYER

Under the circumstances, the Appellant prays as under:

- (a) That the Original Records may be summoned and perused.
- (b) That the order of the CPIO may be set aside and he may be directed to provide the information in question within time bound frame.
- (c) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the Appellant.
- (d) That 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

Dale 19.9.2013

Annex 1

Application under Section 6 of the Right to Information Act, 2005

Ref. No. :RTI/P-195/7034/13

Dated : 3-8-2013

To

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066

1.	Name of the Applicant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003
	(b) Phone Nos.	09810077977, 011-24651101, 011-24690707
	(c) Fax No.	011-24635243
3.	Whether a Citizen of India	Yes
4.	Particulars of Information	
	Details of information required	(A) Please provide copies of File Opening Register (except files open for appeals/applications) at CESTAT New Delhi from the 1 January 2005 till the date of providing the information. (B) Please provide copies of file opening register for account section at CESTAT New Delhi from 1 January 2005 till the date of providing the information. (C) Please provide list of all pending appeals, applications and cases for all benches of CESTAT at New Delhi as on 1st of August 2013 or any other date of August 2013, giving name of parties, date of filing, amount of duty, penalty interest or fine involved, wherever available, name of advocate, if any. Information may be provided in digital form on CD or any other form it is available or convenient to you. (D) Please provide list of Larger Bench cases pending at CESTAT New Delhi as on 1st of August 2013 or as on the date of providing the information as is convenient to you. (E) Please provide datewise list of matters remanded from the High Court/Supreme Court of India and pending at CESTAT New Delhi

Appellate
from the
appeal
does not
information
not depend of
24/6/17

		as on 1st of August 2013. Note:-Please provide pointwise information/ response for each of above points.
5.	I state that the information sought is covered under RTI Act and does not fall within the exemptions contained in sections 8 or 9 or any other provisions of the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office. Information is being sought in larger public interest.	
6.	A Postal Order No. 109920 for Rs. 10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.	
7.	As per Section 7 of the RTI Act, 2005 information is to be provided within 30 days of the Application.	



Signature of Applicant
Telephone No. : 9810077977
011-24651101, 24690707
Fax No. 011-24635243

Place : New Delhi

Encl. : as above

Na/7034

Annexure 2

F No. 2178 / CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal
West Block No 2, R.K.Puram, New Delhi-110 066

Dated: 05-8-13
ID No. 08-175713

Subject: Information sought under RTI Act, 2005.

Sir,

Please refer to RTI application of Shri / Smt. R.K. Jain
under RTI Act 2005 vide No. 7034 dated 03-8-13 (copy
enclosed) wherein certain information are sought as mentioned
therein is related in your section.

Therefore, in terms of the provisions of Section 6(3) and
Section 5(4) read with Section 5(5) of RTI Act 2005 the RTI
application No. 7034 dated 03-8-13 CPIO ID No. 08-175713 is
forwarded herewith to the following officers as deemed CPIO with the
request to provide the correct and parawise information/inspection
on or before 19-8-13 directly to the applicant and intimate the
undersigned within the stipulated time failing which, you are
personally responsible for delay and penalty if any, under section 20
of RTI Act. You are, further requested to follow OM No.12/31/2013-
IR dated;12.02.2013 circulated on 23.05.2013

Encl:As above.

(Naresh Kumar)

Dy.Registrar/CPIO

To

1. Registrar
2. TO Central Registry
3. Accounts Section
4. Asstt. Registrar Customs
5. do Excise
6. do Single Member

2 Computer section in Manoj Kumar VSK
Copy to Shri R.K. Jain 1512 B Bhabha Park, Marg, Wazirpur
New Delhi 110013

Annex 3

PA/08275/CESTAT/CPIO-ND/NIC/2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO 2
R.K PURAM, NEW DELHI 110066

Dt. 13-02-13
Id No. 08478/13

To,

Shri R K Jain,
1512 Bhishma Pitamah Marg,
Wazir Nagar,
New Delhi 110003,

Subject: Information under Right to Information Act
2005.

Sir,

Please refer to your RTI application No. 7034/V3
Dt. 03-02-13 and our ID No. 08478/13 the information
received from Accounts Section containing 13 pages
is endorsed herewith for your reference please.

You are, therefore, requested to please
acknowledge the receipt and deposit Rs. 26 (@2 per
page) to this Tribunal by cash or DD in favour of
Accounts Officer, CESTAT, New Delhi.



(Naresh Kumar)
Dy. Registrar/CPIO

82/178/13
F.No. 70/CESTAT/Accounts/RTI/ 2012-13
Customs, Excise and Service Tax,
Appellate Tribunal,
West Block No.2, R.K.Puram,
New Delhi-110066.

Dated : 08.08.2013

To

✓ The Deputy Registrar/CPIO,
CESTAT,
NEW DELHI..

Subject : Information sought under RTI Act 2005 - regarding

Sir,

In reference to your letter F.No.08-175/CESTAT/CPIO-ND/NK/2013(I.D.No 08-175/2013) dated 05.08.2013 the requisite information of RTI application No. RTI/P-195/7034/13 dated 03.08.2013 filed by Shri R K Jain applicant for point (B) is submitted as under :-

Point "B "

Photocopy of file opening register from 01.01.2005 to till date of Accounts Section is enclosed herewith.

Encls. 12 pages

Yours faithfully,

(Rajender Prasad)
Accounts Officer

1198
13/8/13
Copy for information to :-

Shri R K Jain, 1512-B, Bhisham Pitamah Marg, Opp. ICICI Bank of Defence Colony, New Delhi - 110003.

Annexure 4

**F.No 8/2/CESTAT/Comp/08
CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST BLOCK NO.2, R.K. PURAM, NEW DELHI.**

Dated: 14.08.2013

To

Shri R.K.Jain
1512-B, Bhism Pitamah Marg
Wazir Nagar, New Delhi-110003

Sub: RTI ID No 08-176/13

Refer: RTI/P-195/7034/13, dated 3/08/13

Sir,

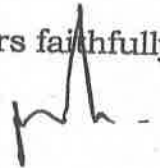
As per above RTI ID the information for the desired information point wise stated below.

- A. The fund allotment is not allocated by the ministry as per the subject desired by the applicant though the fund allotted under this sections head is managed by the Accounts Section. It is therefore applicant may seek the information from the said section.
- B. Since the information desired is voluminous in nature applicant is requested to inspect the concerned file at convenient time and date with prior intimation to this section.
- C. Already provided the information in RTI ID 08-172/13
- D. Computer generated causelist is started from 1/6/2012 in Delhi whereas for other benches this matter is partially done or applicant is requested to obtain the information from the concerned bench.
- E. Maximum efforts are made to generate the causelist through the computer and we have achieved this target in Delhi and rest of the benches is also following the path with technical support of NIC. Accurate practicality will only be explored if the applicant is seeking the information from respective bench.

- F. Please seek the information from Excise Branch AR
- G. The orders are uploaded in the website regularly by Delhi bench, nevertheless few order are not displayed either the order is pending or some other issues exists. So applicant is requested to intimate the specific order so that corrective measure should be taken.

Please acknowledge the receipt of information

Yours faithfully



Naresh Kumar
Deputy Registrar (J)/CFO
Incharge Computer Section

Anurag 05

R No 08-115/CESTAT/CPIO-ND/NIC/2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO.2
R K PURAM, NEW DELHI-110066

Di 02-9-13
Id No 08-115/13

✓ To,
Shri R K Jain,
1512 Bhishma Pitamah Marg,
Wazir Nagar,
New Delhi:110003,
Subject: Information under Right to Information Act
2005.
Sir,

Please refer to your RTI application No. 7034
Dt. 4-8-13 and our ID No. 08-115/13 the information
received from AR Excise containing 2 pages
is endorsed herewith for your reference please.

You are, therefore, requested to please
acknowledge the receipt and deposit Rs. 4 (@2 per
page) to this Tribunal by cash or DD in favour of
Accounts Officer, CESTAT, New Delhi.



(Naresh Kumar)
Dy. Registrar/CPIO

8-175/13

EXCISE BRANCH

ID No. 08-175/2013

To

CPIO & Assistant Registrar,
CESTAT, West Block No-2,
R.K. Puram, New Delhi -110066

With reference to your letter No. ID/08-175/2013 dated 05.08.2013 and reminder No. dated 26.08.2013.

In reference to required information placed below.

4.

(A) Not Pertains to Excise.

(B) Not Pertains to Excise

(C) Not Pertains to Excise

(D) No pendency of Larger bench as on
01.08.2013.

(E) Date wise list of remand matter is not maintained by Excise (Branch). Copy of remand Register from High/Supreme Court has already provided vide R.T.I. ID No. 08-58/2013 dated 28.03.2013 (copy of rem 01.04.2013 to 31.07.2013 is enclosed).

Encl: 1 Pages.

D 2.9
Assistant Registrar
Excise Branch
02.09.2013

URGENT

Annuu 56

**F.No 8/2/CESTAT/Comp/08
CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST BLOCK NO.2, R.K. PURAM, NEW DELHI.**

Dated: 04.09.2013

To

Shri R.K.Jain
1512-B, Bhism Pitamah Marg
Wazir Nagar, New Delhi-110003

Sub: RTI ID No 08-176/13

Refer: RTI/P-195/7034/13/R7135 dated 26-08-2013

7031.

Sir,

I am to refer your letter cited above and to again submit the information as per your query at point A that the a separate section is dealing the matter of fund allocation and distribution i.e Account Section/Cash Section anyway the fund specifically for computer hardware, software and consumables does exist there is only a single head granted by the ministry i.e IT head in which all the matter pertaining this section are covered.

Secondly for point B this section will produce entire file relating to this for inspection so that applicant query should be resolved satisfactorily. As these points is voluminous in nature. It is therefore applicant is allowed to inspect the file on 13-09-13 in afternoon.

The CD returned by the applicant is rechecked and found correct and working smoothly in different computer.

The rest of information is already provided to the applicant.



**(Naresh Kumar)
Dy.Registrar/CPIO**

Gm to CPIO

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

Date of Hearing : 24.10.2013

Appeal No. 08-72(A)/2013
CPIO ID No. 08-175/2013

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....79/2012.....

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

2. Appellant does not press the information and 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

08-71(A)/2013

DyMO. USIU / CRB
3/10/2013**First Appeal under Section 19 of the Right to Information Act, 2005**

Ref. No. : RTI/P-537/(7074/13)/Appeal/5894

Dated : 01-10-2013

To

Shri Sahab Singh,
Hon'ble 1st Appellate Authority Under RTI Act, 2005,
Customs, Excise & Service Tax Appellate Tribunal,
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 Naresh Kumar, CPIO & Deputy Registrar,
		(b) Address	Customs Excise & Service Tax Appellate Tribunal, West Block 2, R.K.Puram, New Delhi - 110066
2.	Date of submission of application (Copy of application attached)	13-08-2013	
3.	Details of the order appealed against	RTI/P-195/7074/13/R7108 dated 23-8-2013	
4.	Prayer or relief sought	See Prayer clause at the end	
5.	Last date for filing the appeal	23-10-2013	
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	(1) Copy of RTI application dated 13-8-2013. (Annexure-1) (2) Copy of CPIO's letter dated 13-8-2013. (Annexure-2) (3) Copy of Appellant's letter dated 17-8-2013. (Annexure-3)	

204/55/13
10/10/13

		(4) Copy of Appellant's letter dated 17-8-2013. (Annexure-4) (5) Copy of Appellant's letter dated 17-8-2013. (Annexure-5) (6) Copy of CPIO's letter dated 16-8-2013. (Annexure-6) (7) Copy of Appellant's letter dated 23-8-2013. (Annexure-7)
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BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 13-08-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
- (A) *Please Provide date and diary in which brief note on complaints filed by Shri RK Jain to the Finance Minister regarding changing of orders by Members of CESTAT was given on 29 October 2009 to the Hon'ble President, CESTAT by Shri SK Tyagi, Director, Department of Revenue (Headquarters) under directions of the FM.*
- (B) *Please provide a certified copy of the said note along with all endorsements thereon*
- (C) *Please provide datewise details of the action taken by the President, CESTAT and others & present status of my said complaints.*
- (D) *After providing the above information, please provide inspection of all records, documents, note-sheets and files relating to the information as referred to in point (A) to (C) above. Please provide inspection of complete file(s) even if they contain part of 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 by his letter dated 13-8-2013 (**Annexure-2**) forwarded the said RTI application to the Registrar, Asstt. Registrar (Admn.) and SPS to Hon'ble President. The appellant by his letters dated 17-8-2013

(Annexure-3 to 5). Shri S.C. Das Deemed CPIO and SPS to Hon'ble President by his note dated 16-8-2013 (Annexure-6) stated that there is no records of any letter given on 29-10-2009 by Shri S.K. Tyagi, Director, Deptt. of Revenue, HQ to the Hon'ble President, CESTAT. Thereafter the appellant by his letter dated 23-8-2013 (Annexure-7) requested the CPIO to procure the information from the Registrar and Asstt. Registrar (Admn.) as they have not responded so far, but he has not deliberately and malafidely taken any further action in the matter. The appellant being aggrieved by the said order of the CPIO is filing the present appeal.

GROUND OF APPEAL

- (1) That the order in question of the learned CPIO is incorrect and illegal and contrary to the provisions and spirit of the RTI Act, 2005 hence liable to be set aside.
- (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 appellant has a definite information and evidence that a brief note was handed over by Shri S.K. Tyagi, Director, Deptt. of Revenue, HQ on 29-10-2009 to the Hon'ble President, CESTAT. The CPIO and Deemed CPIO are not making efforts to provide the information with a view to suppress the same with malafide intent and purpose and the said note contained certain details of the corrupt practices in the CESTAT. Therefore, the order of the CPIO is incorrect and illegal and liable to be set aside and the CPIO be directed to provide the information in time bound frame.
- (4) That the CPIO is deliberately and malafidely not providing the information with a view to cause obstruction to the information without any reasonable cause. Hence, he is liable for penal action under section 20 of the RTI Act, but the First Appellate Authority has no powers to take penal action u/s 20 of the RTI Act, hence the appellant reserves his right to file direct complaint with the CIC.

- (5) That the Registrar and Asstt. Registrar (Admn.), the Deemed CPIOs inspite of the specific request dated 17-8-2013 and the CPIO despite specific request dated 23-8-2013 of the appellant, neither provided the information nor have given any response. Therefore, they may be directed to provide the information in time bound frame.
- (6) That the Ld. CPIO has erred in not providing the information to the appellant though as per the provisions of the RTI Act, the appellant is entitled to information as sought by him. Therefore, the order of the CPIO is liable to be set aside with direction to provide the information to the appellant within time bound frame.
- (7) That the information sought is neither voluminous nor relate to older and larger period, thus could have easily been provided by the learned CPIO.
- (8) 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.
- (9) 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.
- (10) That a personal hearing may be granted to the appellant before deciding the present appeal.
- (11) This is without prejudice to the right of the appellant to add, alter or modify any of the grounds of this appeal and adduce oral or written evidence at the time of hearing or till the appeal is disposed of.

PRAYER

Under the circumstances, the appellant prays as under:

- (a) That the Original Records may be summoned and perused.
- (b) That the order of the CPIO may be set aside and he may be directed to provide the information in question within time bound frame.

- (c) That any other relief as the Appellate Authority deem fit and proper may also be ordered in favour of the appellant.
- (d) That 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 : 01-10-2013

Application under Section 6 of the Right to Information Act, 2005

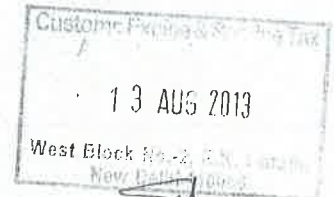
0/C
Annexure-1

Ref. No. :RTI/P-195/7074/13

Dated : 13-8-2013

To

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066



1.	Name of the Applicant	R.K. Jain
2.	Address	1512-B, Bhishm Pitamah Marg Wazir Nagar New Delhi-110003
	(b) Phone Nos.	09810077977, 011-24651101, 011-24690707
	(c) Fax No.	011-24635243
3.	Whether a Citizen of India	Yes
4.	Particulars of Information	
	Details of information required	<p>(A) Please Provide date and diary in which brief note on complaints filed by Shri RK Jain to the Finance Minister regarding changing of orders by Members of CESTAT was given on 29 October 2009 to the Hon'ble President, CESTAT by Shri SK Tyagi, Director, Department of Revenue (Headquarters) under directions of the FM.</p> <p>(B) Please provide a certified copy of the said note along with all endorsements thereon</p> <p>(C) Please provide date-wise details of the action taken by the President, CESTAT and others & present status of my said complaints.</p> <p>(D) After providing the above information, please provide inspection of all records, documents, note-sheets and files relating to the information as referred to in point (A) to (C) above. Please provide inspection of complete file(s) even if they contain part of the information</p> <p>Note:-Please provide point-wise information/response for each of above points.</p>
5.	I state that the information sought is covered under RTI Act and does not fall within the exemptions contained in sections 8 or 9 or any other provisions of the Right to Information Act, 2005 and to the best of my knowledge it pertains to your office. Information is being sought in larger public interest.	

Availability of information with regard to RTI application, should be checked & reply to be provided to the applicant by 24/8/13

6.	A Postal Order No. 11F 109998 for Rs. 10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.
8.	As per Section 7 of the RTI Act, 2005 information is to be provided within 30 days of the Application.



Signature of Applicant
Telephone No. : 9810077977
011-24651101, 24690707
Fax No. 011-24635243

Place : New Delhi

Encl. : as above

asn/-7074

Annex 2

F.No. 08-184 / CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal
West Block No 2, R.K.Puram, New Delhi-110 066

Dated: 13-8-13
ID No. 08184/13

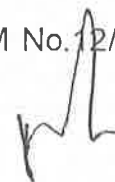
Subject: Information sought under RTI Act, 2005.

Sir,

Please refer to RTI application of Shri / Smt. R K Jain
under RTI Act 2005 vide No. 7074 dated 13-8-13 (copy
enclosed) wherein certain information are sought as mentioned
therein is related in your section.

Therefore, in terms of the provisions of Section 6(3) and
Section 5(4) read with Section 5(5) of RTI Act 2005 the RTI
application No. 7074 dated 13-8-13 CPIO ID No. 08184/13 is
forwarded herewith to the following officers as deemed CPIO with the
request to provide the correct and parawise information/inspection
on or before 23-8-13 directly to the applicant and intimate the
undersigned within the stipulated time failing which, you are
personally responsible for delay and penalty if any, under section 20
of RTI Act. You are, further requested to follow OM No. 12/31/2013-
IR dated; 12.02.2013 circulated on 23.05.2013

Encl: As above.



(Naresh Kumar)
Dy.Registrar/CPIO

To

1. Registrar
2. DR Administrator
3. SPS to President
4. _____
5. _____
6. _____

Copy to R K Jain 13/8/13 Bhushan Lal murg,
Wazir Nagar, New Delhi

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

Annege B.



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

NEW DELHI - 110 003.

PHONE : 24651101

MOBILE : 9810077977

19/8/13

RTI/P-195/7074/13/R7080

17-08-2013

Assistant Registrar (Admn.),
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066

Sub: My RTI Application No. RTI/7074/13, dated 13/8/2013

Dear Sir,

This refers to the letter F.No.08-184/CESTAT/CPIO-ND/NK/2013 dated 13-8-2013 of Mr. Naresh Kumar, CPIO & Deputy Registrar, CESTAT, New Delhi, transferring my aforesaid RTI application to you under section 5(4) read with section 5(5) of the RTI Act, 2005, for providing the information to me. As a Deemed CPIO, you are requested to kindly provide the information at the earliest as under section 7(1) of the RTI Act, information is to be provided within 30 days of the RTI Application.

Thanking you,

Yours faithfully,

[R.K. Jain]

Annex 4 O/C

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

Excise, Customs & Service Tax Consultant

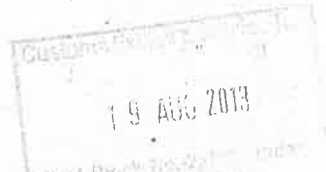
and author of

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CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

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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

19/8/13

RTI/P-195/7074/13/R7079

17-08-2013

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

Sub: My RTI Application No. RTI/7074/13, dated 13/8/2013

Dear Sir,

This refers to the letter F.No. 08-184/CESTAT/CPIO-ND/NK/2013 dated 13-8-2013 of Mr. Naresh Kumar, CPIO & Deputy Registrar, CESTAT, New Delhi, transferring my aforesaid RTI application to you under section 5(4) read with section 5(5) of the RTI Act, 2005, for providing the information to me. As a Deemed CPIO, you are requested to kindly provide the information at the earliest as under section 7(1) of the RTI Act, information is to be provided within 30 days of the RTI Application.

Thanking you,

Yours faithfully,

[R.K. Jain]

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

o/c
Annuum
19 AUG 2013
1512-B, Bhishm Pitamah Marg,
Opp. ICICI Bank of Defence Colony,
NEW DELHI - 110 003.
PHONE : 24651101
MOBILE : 9810077977

RTI/P-195/7074/13/R7081
17-08-2013

SPS to President
Customs Excise & Service Tax Appellate Tribunal;
West Block 2, R.K.Puram,
New Delhi - 110066

Sub: My RTI Application No. RTI/7074/13, dated 13/8/2013

Dear Sir,

This refers to the letter F.No.08-184/CESTAT/CPIO-ND/NK/2013 dated 13-8-2013 of Mr. Naresh Kumar, CPIO & Deputy Registrar, CESTAT, New Delhi, transferring my aforesaid RTI application to you under section 5(4) read with section 5(5) of the RTI Act, 2005, for providing the information to me. As a Deemed CPIO, you are requested to kindly provide the information at the earliest as under section 7(1) of the RTI Act, information is to be provided within 30 days of the RTI Application.

Thanking you,

Yours faithfully,



[R.K. Jain]

Annex 6

R160884/CESTAT/CPIO-ND/NIC/2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO.2
R.K. PURAM, NEW DELHI: 110066.

Dt. 16/8/13
Id No. 0884/13

To,
Shri R.K. Jain,
1512 Bhishma Pitamah Marg,
Wazir Nagar,
New Delhi: 110003,
Subject: Information under Right to Information Act
2005.
Sir,

Please refer to your RTI application No. 2074
Dt. 13/8/13 and our ID No. 08184/13 the information
received from SPS to President containing 1 pages
is endorsed herewith for your reference please.

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




(Naresh Kumar)
Dy.Registrar/CPIO

CESTAT, New Delhi

Dated: 16.8.2013

In pursuance of the letter F.No. 08-184/CESTAT/CPIO-ND/NK/2013 dated 13/08/2013 seeking information asked for providing date and diary number of a letter given on 29.10.2009 by Shri S.K. Tyagi, Director, Department of Revenue (Hqrs.) under directions of the FM to the then Hon'ble President, CESTAT regarding changing of orders by Members of CESTAT, by the Applicant Shri R.K. Jain in his RTI Application No.RTI/P-195/7074/2013 dated 13.8.2013, it is submitted that as per our diary movement of register of 2009, there is no such letter received on 29.10.2009 in the office of Hon'ble President, CESTAT, New Delhi.

1224
16/8/13


(S.C. Das) 16/8/13

Sr.P.S. to Hon'ble President

Deputy Registrar/CPIO, CESTAT, NEW DELHI

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

Excise, Customs & Service Tax Consultant

and author of

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

NEW DELHI - 110 003.

PHONE : 24651101

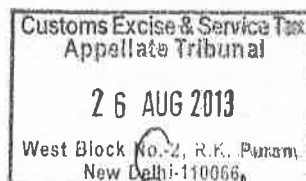
MOBILE : 9810077977

RTI/P-195/7074/13/R7108

23-08-2013

Shri Naresh Kumar,
CPIO & Deputy Registrar,
Customs Excise & Service Tax Appellate Tribunal,
West Block 2, R.K.Puram,
New Delhi - 110066

Sub: My RTI Application No. RTI/7074/13, dated 13/8/2013



Dear Sir,

This refers to your letter F.No.08-184/CESTAT/CPIO-ND/NK/2013 dated 16-8-2013 enclosing therewith a report dated 16-8-2013 of Shri S.C. Das, Deemed CPIO and SPS to the Hon'ble President stating that the information is not available with him. In these circumstances, you are requested to forward my request to the Registrar, CESTAT and Asstt. Registrar (Admn.), CESTAT.

Thanking you,

Yours faithfully,

[R.K. Jain]

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

Date of Hearing : 24.10.2013

Appeal No. 08-71(A)/2013
CPIO ID No. 08-184/2013

Shri R.K. Jain

Appellant

Vs.

Shri Rajender Prasad, CPIO

Respondent

Order.....78/2013.....

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

2. Availability of information with regard to the RTI application, should be checked up with records of the Registrar and thereafter provide the information to the appellant.


(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