

193/55/13
5/9/13

1.	Particulars of the CPIO against whose order appeal is preferred	(a) Name Shri Naresh Kumar CPIO & Deputy Registrar	(b) Address CESTAT West Block 2 R.K.Puram New Delhi - 110066	2.	Date of submission of application (Copy of application attached)	3.	Details of the order appealed against	4.	Prayer or relief sought	5.	Last date for filing the appeal	6.	If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time	7.	Copies of documents relied upon by the applicant	(1) Copy of RTI application dated 25-3-2013. (Annexure-1) (2) Copy of CPIO's letter dated 28-3-2013. (Annexure-2) (3) Copy of Appellant's letter dated 30-3-2013. (Annexure-3) (4) Copy of Appellant's reminder letter dated 9-5-2013. (Annexure-4)
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B. Details About RTI Request :

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

A. Contact Details :

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

To

Ref. No. : RTI/P-537/(4964/13)/Appeal/5794
Dated : 03-08-2013

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

5 AUG 2013
West Block No.2, R.K. Puram

58-60(A)/2013

440.3645/EX-13
5/9/13

Sps H
Hon'ble PTA

5/9/13

BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 25-03-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
 - (A) *Please provide date and Diary Number under which my Representation dated 20-04-2012 regarding recalling/rejection of CESTAT Inquiry Committee Report, was received in CESTAT.*
 - (B) *Please also provide date-wise details of the actions taken on the said Representation and also a copy of the 1st page of the representation.*
 - (C) *Please provide certified copies of the decisions taken on my aforesaid Representation and also copies of all the Notesheets in which the aforesaid Representation is dealt with.*
 - (D) *Please also intimate the name of the present holder of the records in relation to my aforesaid Representation.*
- (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 received letter dated 28-3-2013 (**Annexure-2**) of the CPIO to Registrar, CESTAT, New Delhi. The Appellant vide letter dated 30-3-2013. (**Annexure-3**) & reminder letter dated 9-5-2013 requested the said authority 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.

GROUND OF APPEAL

- (1) That the action of the learned CPIO and the deemed CPIO is 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 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 hence is illegal.
- (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 : 03-08-2013

c/c
Annexure-1

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

Ref. No. : RTI/P-195/4964/13
Dated : 25-3-2013

To

Shri Kripa Shanker
CPIO & Assistant 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 Number under which my Representation dated 20-04-2012 regarding recalling/rejection of CESTAT Inquiry Committee Report, was received in CESTAT.</p> <p>(B) Please also provide date-wise details of the actions taken on the said Representation and also a copy of the 1st page of the representation.</p> <p>(C) Please provide certified copies of the decisions taken on my aforesaid Representation and also copies of all the Notesheets in which the aforesaid Representation is dealt with.</p> <p>(D) Please also intimate the name of the present holder of the records in relation to my aforesaid Representation.</p> <p>Note:- Please provide pointwise 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.	

to provide the information for 5 PS to the President of the Tribunal provide a copy of the representation with 2 weeks

6.	A Postal Order No. 11F 028685 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

11/11/4964
184

Annexure-2

F.No. 08-54/CESTAT/CPIO-ND/KS/2013
Customs Excise & Service Tax Appellate Tribunal
West Block-2, R.K. Puram
New Delhi-66

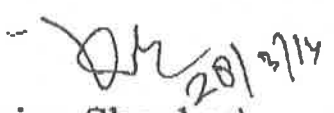
Dated: 28/03/2013
I.D. No. 08-54/2013

Sub: Information sought under RTI Act 2005-reg.

Sir,

Shri. R.K.Jain has filed R.T.I. application No. RTI/P-195/4964/2013 dated 25/03/2013(received on 25/03/2013) wherein the applicant has sought information relating to points as mentioned therein. (Copy enclosed).

Therefore, in terms of the provisions of Section 5 (4)r/w Section 5(5)& 6(3) of RTI Act, 2005 the RTI application dated 25/03/2013 is hereby transferred to the Registrar, CESTAT, New Delhi with the request to provide the information latest by 12/04/2013, so as to enable the undersigned to forward the information to the applicant within the stipulated period.


(Kripa Shankar)

Asst. Registrar/CPIO

Encls: As above

To,

- 1 The Registrar, CESTAT, New Delhi with the request to provide point wise information relating to Point A to D of the RTI application of the applicant

Copy to:-

Sh. R.K. Jain, 1512-B, Bhishm Pitamah Marg, WazirNagar, New Delhi-110 003.

o/c. Annexure-3

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

Excise, Customs & Service Tax Consultant
and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

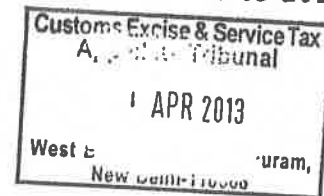
CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

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-195/4964/13/R5651
30-03-2013

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



Sub: My RTI Application No. RTI/4964/13, dated 25/3/2013

vijay 1/4/13

Dear Sir,

This refers to the letter F.No.08-54/CESTAT/CPIO-ND/KS/2013, dated 28-03-2013 of Shri Kripa Shankar, Assistant Registrar, CESTAT, New Delhi transferring my aforesaid RTI application to you under section 6(3) of the RTI Act, 2005, for providing the information to me. 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]

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

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

RTI/P-195/4964/13/R6039
09-05-2013

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



Sub: My RTI Application No. RTI/4964/13, dated 25/3/2013

Dear Sir,

This is further to my letter No. RTI/P-195/4964/13/R5651, dated 30-03-2013, 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

o/c.

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

Excise, Customs & Service Tax Consultant
and author of

CENTRAL EXCISE LAW GUIDE

CENTRAL EXCISE TARIFF, CUSTOMS TARIFF,

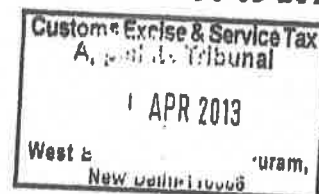
CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

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-195/4964/13/R5651
30-03-2013

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



Sub: My RTI Application No. RTI/4964/13, dated 25/3/2013

Signature
1/4/13

Dear Sir,

This refers to the letter F.No.08-54/CESTAT/CPIO-ND/KS/2013, dated 28-03-2013 of Shri Kripa Shankar, Assistant Registrar, CESTAT, New Delhi transferring my aforesaid RTI application to you under section 6(3) of the RTI Act, 2005, for providing the information to me. 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,

Signature
[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 : 20.9.2013

Appeal No. 08-60(A)/2013
CPIO Appeal No. 5794/2013
I.D. No. 08-54/2013

Shri R.K. Jain

Appellant

Vs.

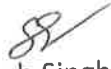
Shri Naresh Kumar, CPIO

Respondent

Order....6.7/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. CPIO is directed to procure the information from the SPS to the President and Registrar and thereafter provide the same to the appellant within two weeks.


(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

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

Ref. No. : RTI/P-537/(6506/13)/Appeal/5792

Dated : 03-08-2013

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 Mr. Naresh Kumar, CPIO & Deputy Registrar, (b) Address CESTAT, West Block 2 R.K. Puram New Delhi-110066
2.	Date of submission of application (Copy of application attached)	08-04-2013
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	Deemed Refusal
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 8-4-2013. (Annexure-1) (2) Copy of CPIO's letter dated 23-4-2013. (Annexure-2) (3) Copy of Appellant's letter dated 3-5-2013. (Annexure-3) (4) Copy of Reminder Letter dated 16-5-2013. (Annexure-4)

BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 08-04-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
 - (A) *Please provide date-wise details of the action taken on the communication dated 09-02-2013 (copy enclosed) of S.I., Police Station, R.K. Puram, New Delhi with reference to the information regarding the misplacement of personnel file of Shri S.K. Verma, Assistant Registrar, CESTAT and copies of all communications sent or received by any CESTAT officials.*
- (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 received letter dated 23-4-2013 (**Annexure-2**) of the CPIO to Registrar & Asst. Registrar(Admn.). The Appellant vide letter dated 3-5-2013.(**Annexure-3**) & reminder letter dated 16-5-2013. (**Annexure-4**) requested the said authority 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.

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 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 hence is illegal.
- (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 : 03-08-2013

Annexure-1

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


Ref. No. :RTI/P-172/6506/13

Dated : 08-04-2013

To

Mr. Bineesh Kumar,
CPIO & Assistant Registrar,
CESTAT South Zonal Bench,
1st Floor, WTC Building,
FKCCI Complex, K.G.Road,
Bangalore,
Karnataka - 560009

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 <i>Appel is not present at account of 20/4</i>	(A) Please provide date-wise details of the action taken on the communication dated 09-02-2013 (copy enclosed) of S.I., Police Station, R.K.Puram, New Delhi with reference to the information regarding the misplacement of personnel file of Shri S.K.Verma, Assistant Registrar, CESTAT and copies of all communications sent or received by any CESTAT officials. 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. 11F 029023 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

uk/-6506

ಇದೇಕೆಲಸದ ಬಗ್ಗೆ ಹೆಚ್ಚಿನ ಮಾಹಿತಿಗಾಗಿ ಕೆಳಕಂಡ ವಿಳಾಸಕ್ಕೆ ಸಂಪರ್ಕಿಸಿ. ಇದು ಒಂದು ದಾಖಲೆಯು ೧೦ ರೂಪಾಯಿ. ಇದು ಸುರಕ್ಷಿತವಾಗಿರುತ್ತದೆ.



भारतीय पोस्टल ऑर्डर
INDIAN POSTAL ORDER
डाक महानिदेशक DIRECTOR GENERAL OF POSTS.

PAY TO Assistant Registrar,
CESTAT, New Delhi को

एक रुपए की रकम THE SUM OF RUPEES TEN ONLY

रुपए 10.00Rs.

AT THE POST OFFICE AT

NEW DELHI G.P.O.

के डाकघर में जमा करें।

इस लाइन के नीचे मत लिखिए DO NOT WRITE BELOW THIS LINE



कमीशन COMMISSION फीस 50 PAISE

डिपॉजिट करने वाले का नाम और पता यहाँ लिखें।
SENDER MAY FILL IN HIS NAME AND ADDRESS HERE.

R. K. JAIN

1512-B, Bhishm Pitamah Marg

Wazir Nagar

New Delhi-110003

डाक टिकट
POSTAGE STAMPS

पोस्ट मास्टर POSTMASTER

11F 029023

**OFFICE OF THE PUBLIC INFORMATION OFFICER-CUM-
ADDL.DY.COMMISSIONER OF POLICE: SOUTH DISTRICT: NEW DELHI,
1ST FLOOR, DCP OFFICE COMPLEX, HAUZ KHAS, NEW DELHI.**

DEPOL/R/2013/06373

No. (497) 3775 /RTI Cell/SD dated New Delhi the 11/02 /2013.
Appellate Authority

- Dy. Commissioner of Police,
South Distt., Hauz Khas,
New Delhi-110016.
- Within 30 days.

Period of Appeal
To

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


Subject:- Regarding supply of information under Right to Information Act, 2005.

Sir,

Apropos your application dated 09.02.2013 received in this office on 12.02.2013 thereby seeking below mentioned information regarding complaint dated 10.01.2013. In this regard, the information as per the report received from ACP Sub Division Safdarjung Enclave (principal supplier of the information and deemed PIO u/s 5(4) & 5(5) of RTI Act, 2005) is as under:-

Sl.No	Information sought	Information provided
(i)	Please provide the date and diary number in which the aforesaid complaint was received in the office of the DCP and the Police Station/s to which it has been....	The point wise information alongwith its enclosures received from ACP Sub Division Safdarjung Enclave in this regard is enclosed herewith which is self explanatory.
(ii)	Date-wise details with diary number of the action taken by various officials on the said...	
(iii)	The name and designation of the Ios to whom the said complaint had been marked with	
(iv)	Date of the visits of the Ios to the CESTAT office at 2, West Block, R.K. Puram, New Delhi.	
(v)	Whether any person has been investigating in the matter, if so, the dates of such investigation.	
(vi)	If any records has been resumed in this case, the date of resumption of such records.	
(vii)	FIR Number and date, if any, registered in the case. In case, FIR is not registered so far, please give information about the basis of delay!....	

Yours faithfully,


(P.S. KUSHWAH)
ADDL. DY. COMMISSIONER OF POLICE,
CUM-PUBLIC INFORMATION OFFICER,
SOUTH DISTRICT, NEW DELHI.
PHONE# 26852095.

Encls: As above.

Subject :- Application U/S 6 of the Right to Information Act 2005 in respect of Sh. R P Jain.

Sir,

Kindly refer to your office letter no. 611 dated 12.2.13 DCP office South Distt. Delhi on the subject cited above.

The parawice reply relating to required information are as under :-

1. Received vide diary No. C-47, PS R K Puram, dated 18.01.13.
2. The complaint was marked to SI Dharampal for Enquiry.
3. SI Dharampal, PS R K Puram, New Delhi, Diary No. C-47, PS R K Puram, New Delhi on 19.1.13.
4. Dated 12,21,27-02-13.
5. Yes.
 - (i) Sh. A Mohan Kumar Registrar CESTAT Office R K Puram
 - (ii) Sh. Mukesh Gupta Assistant Registrar CESTAT Office R K Puram.

6. - Nil -

7. After making enquiry into the complaint a letter has been sent to the CESTAT Office on 27.02.13 to make some clarification for taking legal action as per law which photocopy is attached herewith, and the reply is awaited so far.

Submitted please.

[Signature]
SI Dharampal
PS R K Puram

05/03/13

SHO/R K Puram

[Signature]
K 2
6/3

Forwarded PL

[Signature]
Ac P/SJE
2/3/13

No. 171

26/2/13

File No.

Subject: - Complaint against suspected theft of personal file in respect of Shri S.K. Verma Assistant Registrar from the office of CESTAT, R.K. Puram New Delhi.

Customs Excise & Service Tax Appeals Tribunal
27 FEB 2013
West Block No. 2, R.K. Puram, New Delhi - 110066

Kindly refer to your office letter No. 321/SDC/DCH dated 16/01/13 on the subject cited above.

27/2/2013

Sir,

It is submitted that I have gone through the contents of the complaint and it has been found that complaint does not make clear, whether the original personal file pertaining to Shri S.K. Verma Assistant Registrar of the CESTAT office, was stolen either missing from concerned office R.K. Puram Delhi.

Raksh
UDC

In view of above, at first there is need to conduct the enquiry on behalf of the competent authority of CESTAT office R.K. Puram New Delhi to make clear, whether the above said personal file is missing either stolen from the office, as the same is internal matter of the concerned office. It may also be clarified, in whose custody was the personal file in question at last time, so that appropriate legal action could be taken as per law.

Submitted please.

Enclosure 1 to 5 (Total 5 pgs)
Original Complaint
Photo copy of Complaint
SPAS
SHO/R.K. Puram

09/02/13
SI Dharampal Singh
P.S. R.K. Puram
New Delhi.

Forwarded please

Registrar

ESQA
R.K. Puram
N. Delhi

Kas
SRO R.K.
26/2
SHO
Police Station
R.K. Puram, N. Delhi

FNo. 899 /CESTAT/CPIO-ND/NK/2012
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated: 23/11/13
ID No. 899/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. R K Jain
application under RTI Act 2005 vide No. 172/6506/13 dated
08/11/13 (copy enclosed) wherein certain
information are sought as mentioned therein is related
to 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. 172/6506/13 dated
08/11/13 CPIO ID No. 899/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 02/12/13, directly to the applicant and intimate
the undersigned within the stipulated time..

[Signature]

(Naresh Kumar)
Dy. Registrar/CPIO

Encl. As above.

1. Registrar
2. Asst. Registrar Administration
3. _____
4. _____
5. _____

[Handwritten signature] Copy to Sh. R K Jain 172 B BLS Home Plotment
Marg, Wazir Nagar, New Delhi-3

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-195/6506/13/R5941

03-05-2013

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

Sub: My RTI Application No. RTI/6506/13, dated 8/4/2013

Dear Sir,

This refers to the letter F.No.08-99/CESTAT/CPIO-ND/NK/2012 dated 23-4-2013 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,

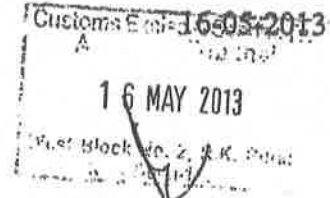
CENTRAL EXCISE MANUAL, CUSTOMS LAW MANUAL &

EXIM POLICY AND HANDBOOK OF PROCEDURE

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

FINAL REMINDER

RTI/P-195/6506/13/R6117



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

Sub: My RTI Application No. RTI/6506/13, dated 8/4/2013

Dear Sir,

This is further to my letter No.RTI/P-195/6506/13/R5941 dated 3-5-2013, 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

Cc to Naresh Kumar, CPIO.CESTAT,
West Block, R.K Puram

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

03 MAY 2013

RTI/P-195/6506/13/R5941
03-05-2013

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

Sub: My RTI Application No. RTI/6506/13. dated 8/4/2013

Dear Sir,

This refers to the letter F.No.08-99/CESTAT/CPIO-ND/NK/2012 dated 23-4-2013 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]

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

Date of Hearing : 20.9.2013

Appeal No. 08-59(A)/2013
CPIO Appeal No. 5792/2013
I.D. No. 08-99/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order...6.6/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. Appeal is not pressed and accordingly disposed of.


(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

DYMO. 4040/ER-13
3/9/13

08-58(A)/4013

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

Ref. No. : RTI/P-537/(7011/13)/Appeal/5842

Dated : 31-08-2013

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, 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)	02-08-2013
3.	Details of the order appealed against	CPIO's letter F.No. 08-173/CESTAT/CPIO-ND/NK/2013 dated 26-8-2013
4.	Prayer or relief sought	See Prayer clause at the end
5.	Last date for filing the appeal	26-9-2013
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 2-8-2013. (Annexure-1) (2) Copy of CPIO's letter dated 02-08-2013 (Annexure-2) (3) Copy of CPIO's order dated 26-08-2013 (Annexure-3)

18/5/13
5/9/13

BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 02-08-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
 - (A) *Please provide copies of all the Supreme Court and High Court decisions, judgements, orders, directions degrees and records of proceedings received by the CESTAT Registry at Delhi from 1-7-2013 till 31-7-2013*
 - (B) *Please also provide copies of the Register/ Records being maintained regarding receipt of all such Orders, judgements, directions and degrees by the CESTAT Registry at Delhi from 1-7-2013 till date of providing 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) The CPIO by his order dated 02-08-2013 (**Annexure-2**) transferred the RTI application of the Appellant to the Assistant Registrar, Customs Branch, Assistant Registrar, Excise Branch and Assistant Registrar, Single Member Branch. The CPIO by his further order dated 26-8-2013 (**Annexure-3**) based on the report of Assistant Registrar, Customs Branch (Deemed CPIO), though admitted the existence of the information but denied the same as having been placed in the relevant file. The Assistant Registrar, Excise Branch and Assistant Registrar, Single Member Branch had not provided any 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 Assistant Registrar, Excise Branch and Assistant Registrar, Single Member Branch, (Deemed CPIOs) have not so far responded to the aforesaid RTI application nor has provided any information, therefore, their action is violative of RTI Act, 2005 and they are liable for penal action under Section 20 of the RTI Act, 2005 and the CPIO is liable to be directed to provide the information in time bound frame.
- (4) That the CPIO and the Assistant Registrar, Customs Branch, Deemed CPIO though has admitted the existence of the information but has denied the same on the ground that it has been placed in the concerned file. The placement of the documents in the file are not is no ground for denying the information nor such information is exempted under Section 8 of the RTI Act, 2005. 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 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 : 31-08-2013

o/c
Annexure - 1

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

Ref. No. : RTI/P-195/7011/13

Dated : 2-8-2013

To

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

02 Aug 2013


Wing

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 all the Supreme Court and High Court decisions, judgements, orders, directions degrees and records of proceedings received by the CESTAT Registry at Delhi from 1-7-2013 till 31-7-2013. (B) Please also provide copies of the Register/ Records being maintained regarding receipt of all such Orders, judgements, directions and degrees by the CESTAT Registry at Delhi from 1-7-2013 till date of providing information. Note:-Please provide point-wise 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. 11F 108527 for Rs. 10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.	

Place : New Delhi

Encl. : as above

asn/-----7011


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

Annexure 2

F.No. 08-173 / CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal
West Block No 2, R.K.Puram, New Delhi-110 066

Dated: 02-8-13
ID No. 08-173/13

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. 7011 dated 02-8-13 (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. 7011 dated 02-8-13 CPIO ID No. 08-173/13 is
forwarded herewith to the following officers as deemed CPIO with the
request to provide the correct and parawise information/inspection
on or before 16-8-13 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. Asstt. Registrar ~~Administration~~ ^{Customs}
2. do ^{Excise}
3. do ^{Single Member}
4. ~~Asstt. Registrar~~
5. _____
6. _____

Copy to Sh. R.K. Jain 1512 B Bhishma Park
marg, Wazir Nagar, New Delhi-3

Annex 3

Rb 08-113 / CESTAT / CPIO-ND / NIC / 2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO.2,
R.K PURAM, NEW DELHI-110066.

Di 26-8-13
Id No. 08113113

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. 7011
Dt 2-8-13 and our ID No. 08113113 the information
received from AR Customs / ST 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.

Copy to AR Customs / ST
(Please see your copy)

(Naresh Kumar)
Dy. Registrar/CPIO

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

Date of Hearing : 20.9.2013

Appeal No. 08-58(A)/2013
CPIO ID No.08-173/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....65/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. CPIO is directed to allow the inspection of records within **two weeks**.


(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

88-57/A/2013

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

Ref. No. : RTI/P-537/(6764/13)/Appeal/5762
Dated : 27-07-2013

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)	30-05-2013	
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	30-7-2013	
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 30-5-2013. (Annexure-1) (2) Copy of CPIO's letter dated 31-5-2013. (Annexure-2) (3) Copy of Appellant's letter to Asst. Registrar (Single Member) dated 5-6-2013. (Annexure-3) (4) Copy of Appellant's letter to Asst. Registrar (Customs/ST) dated 5-6-2013. (Annexure-4)	

186/55/13
5/9/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 30-05-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide copies of all after court supplementary cause lists issued for Court No. 1 from 1-3-2013 till the date of providing the information.*

(B) *Please provide copies of all after court cause lists(except those covered in point (A) above) but including about mention matters for Court No. 1 from 1-3-2013 till the date of providing the information.*

(C) *Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry:-*

- (i) *Matter No. ST/S/1946/2011 & ST/931/2011 [M/s. Sidhartha Processors vs. CCE, Jaipur(10.4.2013 - Item 35)]*
- (ii) *Matter No. ST/326/2006 [Anil Kumar Agnihotri vs. CCE, Kanpur (10.4.2013 - Item 36)]*
- (iii) *Matter No. ST/327/2006 [Ajay Kumar Gupta vs. CCE, Kanpur (10.4.2013 - Item 37)]*
- (iv) *Matter No. ST/23/2009 [M/s. VTC Transport Ltd. vs. CCE, Chandigarh(10.4.2013 - Item 38)]*
- (v) *Matter No. ST/07/2009 [CCE, Chandigarh vs. M/s, VTC Transport Ltd.(10.4.2013 - Item 39)]*
- (vi) *Matter No. ST/310/2012 [M/s. Electromec Engg. Enterprises & Nishant Elect. vs. CCE, Meerut-II(10.4.2013 - Item 40)]*
- (vii) *Matter No. ST/97/2008 [M.L. Gupta vs. CCE, Jaipur (10.4.2013 - Item 41)]*
- (viii) *Matter No. ST/542/2008 [Central Mine Planning & degin vs. CCE, Bhopal(10.4.2013 - Item 42)]*
- (ix) *Matter No. ST/585/2008 [BSNL vs. CCE, Raipur (10.4.2013 - Item 43)]*
- (x) *Matter No. ST/691/2008 [CCE, Raipur vs. BSNL(10.4.2013 - Item 44)]*
- (xi) *Matter No. ST/829/2008 [CCE, Raipur vs. S.Pritam Singh, Transport(10.4.2013 - Item 45)]*

(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 received letter dated 31-5-2013 (**Annexure-2**) of the CPIO to Asst. Registrar (SM) & Asst. Registrar (Customs/ST). The Appellant vide letter dated 5-6-2013 to Asst. Registrar (SM) (**Annexure-3**) & letter dated 5-6-2013 to Asst. Registrar (Customs/ST) (**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 authorities 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 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 hence is illegal.
- (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 : 27-07-2013

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

Ref. No. :RTI/P-195/6764/13
Dated : 30-5-2013

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

30 MAY 2013

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 copies of all after court supplementary cause lists issued for Court No. 1 from 1-3-2013 till the date of providing the information.</p> <p>(B) Please provide copies of all after court cause lists(except those covered in point (A) above) but including about mention matters for Court No. 1 from 1-3-2013 till the date of providing the information.</p> <p>(C) Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry:-</p> <p>(i) Matter No. ST/S/1946/2011 & ST/931/2011 [M/s. Sidhartha Processors vs. CCE, Jaipur(10.4.2013 - Item 35)]</p> <p>(ii) Matter No. ST/326/2006 [Anil Kumar Agnihotri vs. CCE, Kanpur (10.4.2013 - Item 36)]</p> <p>(iii) Matter No. ST/327/2006 [Ajay Kumar Gupta vs. CCE, Kanpur (10.4.2013 - Item 37)]</p> <p>(iv) Matter No. ST/23/2009 [M/s. VTC Transport Ltd. vs. CCE, Chandigarh(10.4.2013 - Item 38)]</p>

Since a information has been provided to the appellant after filing of appeal. Hence appeal is not pressed. Sd/-

	<p>(v) Matter No. ST/07/2009 [CCE, Chandigarh vs. M/s, VTC Transport Ltd.(10.4.2013 - Item 39)]</p> <p>(vi) Matter No. ST/310/2012 [M/s. Electromec Engg. Enterprises & Nishant Elect. vs. CCE, Meerut-II(10.4.2013 - Item 40)]</p> <p>(vii) Matter No. ST/97/2008 [M.L. Gupta vs. CCE, Jaipur (10.4.2013 - Item 41)]</p> <p>(viii) Matter No. ST/542/2008 [Central Mine Planning & design vs. CCE, Bhopal(10.4.2013 - Item 42)]</p> <p>(ix) Matter No. ST/585/2008 [BSNL vs. CCE, Raipur (10.4.2013 - Item 43)]</p> <p>(x) Matter No. ST/691/2008 [CCE, Raipur vs. BSNL(10.4.2013 - Item 44)]</p> <p>(xi) Matter No. ST/829/2008 [CCE, Raipur vs. S.Pritam Singh, Transport(10.4.2013 - Item 45)]</p> <p>Note:-Please provide pointwise 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 069637 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.

Place : New Delhi

Encl. : as above

BAU/---5764


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

FNo. 08-124/CESTAT/CPIO-NID/NK/2013
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated. 31-5-13
ID No. 08-124/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. R K Jain
application under RTI Act 2005 vide No. 6764 dated
30-5-13 (copy enclosed) wherein certain
information are sought as mentioned therein is related
to 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. 6764 dated
30-5-13 CPIO ID No. 08-124/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 14-6-13, directly to the applicant and intimate
the undersigned within the stipulated time..

(Naresh Kumar)

Dy.Registrar/CPIO

Encl. As above.

1. Arth Registrar Customs/ST
2. Single Member
3. _____
4. _____
5. _____

Copy to Sh R K Jain 15/2 B Bhoshan Prakash Marg
Wazir Nagar, New Delhi. 3

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

Customs Excise & Service Tax
Appellate Tribunal

05 JUN 2013

West Block No.-2, R.K. Puram,
New Delhi-110066

RTI/P-195/6764/13/R6315

05-06-2013

vyt/5/6/13

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

Sub: My RTI Application No. RTI/6764/13, dated 30/5/2013

Dear Sir,

This refers to the letter F.No.08-124/CESTAT/CPIO-ND/NK/2013 dated 31-5-2013 of Shri Naresh Kumar, CPIO & Deputy Registrar, CESTAT transferring my aforesaid RTI application to you under section 6(3) of the RTI Act, 2005, for providing the information to me. 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

Customs Excise & Service Tax
Appellate Tribunal

05 JUN 2013

West Block No. 2, R.K. Puram
New Delhi-110066

RTI/P-195/6764/13/R6314

05-06-2013

~12/11/13/6115

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

Sub: My RTI Application No. RTI/6764/13, dated 30/5/2013

Dear Sir,

This refers to the letter F.No.08-124/CESTAT/CPIO-ND/NK/2013 dated 31-5-2013 of Shri Naresh Kumar, CPIO & Deputy Registrar, CESTAT transferring my aforesaid RTI application to you under section 6(3) of the RTI Act, 2005, for providing the information to me. 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 : 20.9.2013

Appeal No. 08-57(A)/2013

CPIO Appeal No. 5762/2013

I.D. No. 08-124/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....64/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. Since the information has been provided to the appellant after filing of appeal, hence appeal is not pressed.



(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

88-56(A)/2013

355
Dymo
29/6/13

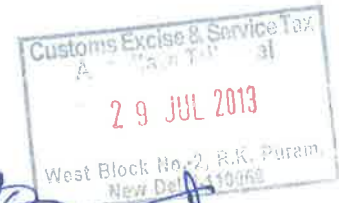
**First Appeal under Section 19 of the Right to Information Act, 2005
against Deemed Refusal**

Ref. No. : RTI/P-537/(6777/13)/Appeal/5764

Dated : 27-07-2013

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



SPS to Hon'ble TAA 29/7

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)	01-06-2013
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	1-8-2013
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 1-6-2013. (Annexure-1) (2) Copy of CPIO's letter dated 4-6-2013. (Annexure-2) (3) Copy of Appellant's letter to Asst. Registrar (Service Tax) dated 7-6-2013. (Annexure-3) (4) Copy of Appellant's letter to Asst. Registrar (Single Member) dated 7-6-2013 (Annexure-4)

185/55/13
5/9/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 01-06-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplimentary Cause List:-*

- (i) Case No. ST/813/2008 [CCE, Ghaziabad vs. Goyal M.G. Gases (Pvt.) Ltd.(9.4.2013 - Item 30)]
- (ii) Case No. ST/858-859/2008 [Punjab State Federation of Cooperative Sugar Mills Ltd. vs. CCE, Chandigarh(9.4.2013 - Item 31)]
- (iii) Case No. ST/17/2009 [Vodafone Essar Digilink Ltd. vs. CCE, Jaipur-I(9.4.2013 - Item 32)]
- (iv) Case No. ST/41/2009 [CCE, Ludhiana vs. Mittal Construction Co. (9.4.2013 - Item 33)]
- (v) Case No. ST/881/2009 [Madhukar Mittal vs. CCE, Panchkula(11.4.2013 - Item 57)]
- (vi) Case No. ST/1859/2010 [State Bank of India vs. CCE, Kanpur(11.4.2013 - Item 58)]
- (vii) Case No. ST/478/2011 [Katiyal & Associates vs. CCE, Indore(11.4.2013 - Item 59)]

(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 received letter dated 4-6-2013 (**Annexure-2**) of the CPIO to Asst. Registrar (SM) & Asst. Registrar (ST). The Appellant vide letter dated 7-6-2013 to Asst. Registrar (ST) (**Annexure-3**) & letter dated 7-6-2013 to Asst. Registrar (SM)(**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 authorities 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 OFS 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 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 hence is illegal.
- (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.

-4-
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 : 27-07-2013

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

Ref. No. :RTI/P-195/6777/13

Dated : 1-6-2013

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 copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-</p> <p>(i) Case No. ST/813/2008 [CCE, Ghaziabad vs. Goyal M.G. Gases (Pvt.) Ltd.(9.4.2013 - Item 30)]</p> <p>(ii) Case No. ST/858-859/2008 [Punjab State Federation of Cooperative Sugar Mills Ltd. vs. CCE, Chandigarh(9.4.2013 - Item 31)]</p> <p>(iii) Case No. ST/17/2009 [Vodafone Essar Digilink Ltd. vs. CCE, Jaipur-I(9.4.2013 - Item 32)]</p> <p>(iv) Case No. ST/41/2009 [CCE, Ludhiana vs. Mittal Construction Co. (9.4.2013 - Item 33)]</p> <p>(v) Case No. ST/881/2009 [Madhukar Mittal vs. CCE, Panchkula(11.4.2013 - Item 57)]</p> <p>(vi) Case No. ST/1859/2010 [State Bank of India vs. CCE, Kanpur(11.4.2013 - Item 58)]</p> <p>(vii) Case No. ST/478/2011 [Katiyal & Associates vs. CCE, Indore(11.4.2013 - Item 59)]</p>

COPIOs to (vii) appellat within 2 weeks to Mr. Naresh Kumar

		Note:-Please provide point-wise 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. 11F 006567 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

22/11/2007

FNo. 08130 /CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated. 04/13
ID No. 08130/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. R/K Jain dated
application under RTI Act 2005 vide No. 677
01/13 (copy enclosed) wherein certain
information are sought as mentioned therein is related
to 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. 677 dated
01/13 CPIO ID No. 08130/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 14/13, directly to the applicant and intimate
the undersigned within the stipulated time..

(Naresh Kumar)

Dy. Registrar/CPIO

Encl. As above.

1. Asst. Registrar Service Tax
2. de Single Member
3. _____
4. _____
5. _____

Copy to Sh R K Jain 15123 Bhishma Park
Mayapuri, New Delhi-110066

012

Annexure-3

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-195/6777/13/R6357
07-06-2013

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



VJY 27/6/13

Sub: My RTI Application No. RTI/6777/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-130/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

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

RTI/P-195/6777/13/R6358
07-06-2013

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



vign 1
2/6/13

Sub: My RTI Application No. RTI/6777/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-130/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

Date of Hearing : 19.9.2013

Appeal No. 08-56(A)/2013

~~CPIO Appeal No. 5764/2013~~

I.D. No. 08-130/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....*63/2013*.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. CPIO is directed to provide the information in respect to (i) to (vii) within two weeks to the appellant.

SR
(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

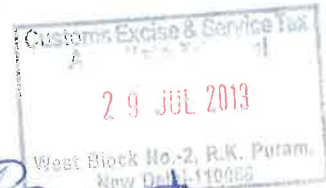
88-55(A)/2013

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

Ref. No. : RTI/P-537/(6778/13)/Appeal/5767
Dated : 27-07-2013

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)	01-06-2013
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	1-8-2013
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 1-6-2013. (Annexure-1) (2) Copy of CPIO's letter dated 4-6-2013. (Annexure-2) (3) Copy of Appellant's letter to Asst. Registrar (Single Member) dated 7-6-2013 (Annexure-3) (4) Copy of Appellant's letter to Asst. Registrar (Customs/ST) dated 7-6-2013 (Annexure-4)

184/55/13
5/9/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 01-06-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-*

- (i) Case No. ST/612/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 36)]
- (ii) Case No. ST/613/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 37)]
- (iii) Case No. ST/614/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 38)]
- (iv) Case No. ST/615/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 39)]
- (v) Case No. ST/1419/2011 [Hero Motocorp Ltd. vs. CST, Delhi(16.4.2013 - Item 40)]
- (vi) Case No. ST/1420/2011 [Hero Motocorp Ltd. vs. CST, Delhi(16.4.2013 - Item 41)]
- (vii) Case No. ST/1421/2011 [Hero Motocorp Ltd. vs. CST, Delhi(16.4.2013 - Item 42)]
- (viii) Case No. ST/55526/2013 & ST/Stay/55711/13[IILM Institute for Higher Education vs. CST, Delhi(16.4.2013 - Item 44)]
- (ix) Case No. ST/1646/2010 [IILM Undergraduate Business School vs. CCE, Delhi-I(16.4.2013 - Item 45)]
- (x) Case No. ST/705/2011 [IILM Academy of Higher Learning vs CCE, Jaipur-I(16.4.2013 - Item 46)]
- (xi) Case No. ST/2183/2012 [IILM Film & Media School vs. Service Tax, Delhi(16.4.2013 - Item 47)]
- (xii) Case No. ST/3183/2012 [IILM Undergraduate Business School vs. Delhi(16.4.2013 - Item 48)]

- (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 received letter dated 4-6-2013 (**Annexure-2**) of the CPIO to Asst. Registrar (SM) & Asst. Registrar (Customs/ST). The Appellant vide letter dated 7-6-2013 to Asst. Registrar (SM) (**Annexure-3**) & letter dated 7-6-2013 to Asst. Registrar (Customs/ST) (**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 authorities 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 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 hence is illegal.
- (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 : 27-07-2013

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

Ref. No. : RTI/P-195/6778/13

Dated : 1-6-2013

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 copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-</p> <p>(i) Case No. ST/612/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 36)]</p> <p>(ii) Case No. ST/613/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 37)]</p> <p>(iii) Case No. ST/614/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 38)]</p> <p>(iv) Case No. ST/615/2008 [Madhu India Ltd. vs. CCE, Lucknow(16.4.2013 - Item 39)]</p> <p>(v) Case No. ST/1419/2011 [Hero Motocorp Ltd. vs. CST, Delhi(16.4.2013 - Item 40)]</p> <p>(vi) Case No. ST/1420/2011 [Hero Motocorp Ltd. vs. CST, Delhi(16.4.2013 - Item 41)]</p> <p>(vii) Case No. ST/1421/2011 [Hero Motocorp Ltd. vs. CST, Delhi(16.4.2013 - Item 42)]</p>

CPIO's
 duplicate to be provided
 in 15 days
 to the appellant
 17/1

	<p>(viii) Case No. ST/55526/2013 & ST/Stay/55711/13 [IILM Institute for Higher Education vs. CST, Delhi(16.4.2013 - Item 44)]</p> <p>(ix) Case No. ST/1646/2010 [IILM Undergraduate Business School vs. CCE, Delhi-I(16.4.2013 - Item 45)]</p> <p>(x) Case No. ST/705/2011 [IILM Academy of Higher Learning vs CCE, Jaipur-I(16.4.2013 - Item 46)]</p> <p>(xi) Case No. ST/2183/2012 [IILM Film & Media School vs. Service Tax, Delhi(16.4.2013 - Item 47)]</p> <p>(xii) Case No. ST/3183/2012 [IILM Undergraduate Business School vs. Delhi(16.4.2013 - Item 48)]</p> <p>(xiii) Case No. ST/699/2007 [Narayan Builders vs. CCE, Jaipur-I(16.4.2013 - Item 48)]</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 069650 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

an/---6778

FNo. 08-13 /CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated. 04/6/13
ID No. 08131/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. R.K. Jain
application under RTI Act 2005 vide No. 6778 dated
01/6/13 (copy enclosed) wherein certain
information are sought as mentioned therein is related
to 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. 6778 dated
01/6/13 CPIO ID No. 08-13/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 14/6/13, directly to the applicant and intimate
the undersigned within the stipulated time..

(Naresh Kumar)

Dy. Registrar/CPIO

Encl. As above.

1. Asst. Registrar Customs / Service Tax
2. de Single member
3. /
4. /
5. /

Copy to Sh. R.K. Jain 15/25 Bhishma Pitam
Marg, West Aggar, 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 &

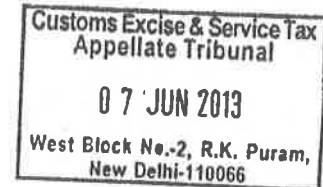
EXIM POLICY AND HANDBOOK OF PROCEDURE

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

RTI/P-195/6778/13/R6359

07-06-2013

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



v.jay 15/6/13

Sub: My RTI Application No. RTI/6778/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-131/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

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

NEW DELHI - 110 003.

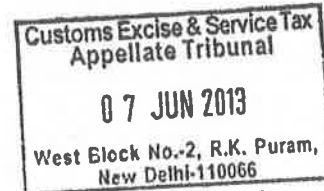
PHONE : 24651101

MOBILE : 9810077977

RTI/P-195/6778/13/R6360

07-06-2013

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



21/4/13
7/6/13

Sub: My RTI Application No. RTI/6778/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-131/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

Date of Hearing : 19.9.2013

Appeal No. 08-55(A)/2013

CPIO Appeal No. 5767/2013

I.D No. 131/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....62/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. CPIO is directed to provide information in respect of (viii), (ix), (x) and (xii) to the appellant within 15 days.



(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

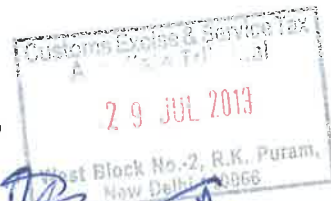
68-54/A/2013
**First Appeal under Section 19 of the Right to Information Act, 2005
against Deemed Refusal**

Ref. No. : RTI/P-537/(6782/13)/Appeal/5770

Dated : 27-07-2013

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)	01-06-2013
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	1-8-2013
6.	Appeal in time	Yes
7.	Copies of documents relied upon by the applicant	(1) Copy of RTI application dated 1-6-2013. (Annexure-1) (2) Copy of CPIO's letter dated 4-6-2013. (Annexure-2) (3) Copy of Appellant's letter to Asst. Registrar (Single Member) dated 7-6-2013. (Annexure-3) (4) Copy of Appellant's letter to Asst. Registrar (Service Tax) dated 7-6-2013. (Annexure-4) (5) Copy of Appellant's letter to Asst. Registrar (Customs) dated 7-6-2013. (Annexure-5)

183/55/13
5/9/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 01-06-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-*

- (i) Case No ST/22/2009 [C.C.E Kanpur vs Nannumal Glass Works(3.5.2013 - Item 11)]
- (ii) Case No ST/1707/2010 [Ahilcon Builders & Developers Pvt Ltd vs C.C.E, Indore(9.5.2013 - Item 40)]
- (iii) Case No ST/87/2009 [Saini & Company vs C.C.E, Ludhiana(9.5.2013 - Item 41)]
- (iv) Case No ST/MISC/55811-55812/13(Extn) & ST/MISC/56122/13(EH BYREV) & ST/291/2008,433/2009 [Cellebrum Technologies Ltd vs C.C.E, Chandigarh(6.5.2013 - Item 105)]
- (v) Case No ST/Stay/4396/2012 & ST/MISC/55373/2013 & ST/3459/2012 [Jubilant Life Sciences Limited vs CC, Noida(7.5.2013 - Item 35)]
- (vi) Case No ST/Stay/4690/2012 & ST/3707/2012 [Barco Electronics Systems Pvt Ltd vs CC, Noida(7.5.2013 - Item 36)]
- (vii) Case No ST/Stay/5009/2012 & ST/3973/2012 [Sumitomo Corporation India Pvt Ltd vs CC, Delhi-I(7.5.2013 - Item 37)]
- (viii) Case No ST/Stay/55125/2013 & ST/55146/2013 [Involute Engineering Pvt Ltd vs CC, Meerut-I(7.5.2013 - Item 38)]
- (ix) Case No ST/422/2009 [Kalpik Interiors vs CST, Delhi(7.5.2013 - Item 39)]

(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 received letter dated 4-6-2013 (**Annexure-2**) of the CPIO to Asst. Registrar (SM) & Asst. Registrar (Customs/ST). The Appellant vide letter dated 7-6-2013 to Asst. Registrar (SM) (**Annexure-3**), letter dated 7-6-2013 to Asst. Registrar (ST) & letter dated 7-6-2013 to Asst. Registrar(Customs) (**Annexure-5**) 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 authorities 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 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 hence is illegal.
- (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 : 27-07-2013

u/c
Annexure - 1

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

Ref. No. : RTI/P-195/6782/13

Dated : 1-6-2013

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
03 JUN 2013
West Block No.-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 copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-</p> <p>(i) Case No ST/22/2009 [C.C.E Kanpur vs Nannumal Glass Works(3.5.2013 - Item 11)]</p> <p>(ii) Case No ST/1707/2010 [Ahilcon Builders & Developers Pvt Ltd vs C.C.E, Indore (9.5.2013 - Item 40)]</p> <p>(iii) Case No ST/87/2009 [Saini & Company vs C.C.E, Ludhiana(9.5.2013 - Item 41)]</p> <p>(iv) Case No ST/MISC/55811-55812/13(Extn) & ST/MISC/56122/13(EH BY REV) & ST/291/2008,433/2009 [Cellebrum Technologies Ltd vs C.C.E, Chandigarh(6.5.2013 - Item 105)]</p> <p>(v) Case No ST/Stay/4396/2012 & ST/MISC/55373/2013 & ST/3459/2012 [Jubilant Life Sciences Limited vs CC, Noida(7.5.2013 - Item 35)]</p> <p>(vi) Case No ST/Stay/4690/2012 & ST/3707/2012 [Barco Electronics</p>


CPIO's diverted to
provide the info
of S+H (1+2) +
in 70(1) to VII
of the act
15 days
info to
other info to
applying to

		<p>Systems Pvt Ltd vs CC, Noida(7.5.2013 - Item 36)]</p> <p>(vii) Case No ST/Stay/5009/2012 & ST/3973/2012 [Sumitomo Corporation India Pvt Ltd vs CC, Delhi-I(7.5.2013 - Item 37)]</p> <p>(viii) Case No ST/Stay/55125/2013 & ST/55146/2013 [Involute Engineering Pvt Ltd vs CC, Meerut-I(7.5.2013 - Item 38)]</p> <p>(ix) Case No ST/422/2009 [Kalpik Interiors vs. CST, Delhi(7.5.2013 - Item 39)]</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 070752 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.	

Place : New Delhi

Encl. : as above

usiv/---6782


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

FNo. 08135 /CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated. 04-613
ID No. 08135/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. R K Jain
application under RTI Act 2005 vide No. 6782 dated
01-613 (copy enclosed) wherein 6782 certain
information are sought as mentioned therein is related
to 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. 6782 dated
01-613 CPIO ID No. 08135/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 14-613, directly to the applicant and intimate
the undersigned within the stipulated time..

(Naresh Kumar)

Dy. Registrar/CPIO

Encl. As above.

1. Asst. Registrar/Customs/Sec. 200
2. de Single Member
3. _____
4. _____
5. _____

Copy to Sh. R. K. Jain 1512 B Bhikarma Plotam
Marg, Wazir Nagar, New Delhi: 3

OK

Annexure - 3

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-195/6782/13/R6344
07-06-2013



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

Sub: My RTI Application No. RTI/6782/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-135/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

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

RTI/P-195/6782/13/R6343
07-06-2013

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



Sub: My RTI Application No. RTI/6782/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-135/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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

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

RTI/P-195/6782/13/R6342

07-06-2013

Customs Excise & Service Tax
Appellate TribunalWest Block No.-2, R.K. Puram
New Delhi-110066

Vijay 2/6/13

Asstt.Registrar, Customs
Customs Excise & Service Tax Appellate Tribunal,
West Block 2,
R.K.Puram,
New Delhi - 110066Sub: My RTI Application No. RTI/6782/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-135/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

Date of Hearing : 19.9.2013

Appeal No. 08-54(A)/2013

~~CPIO Appeal No. 5770/2013~~

~~T.D No. 08-135/2013~~

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....61/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. CPIO is directed to provide the information in respect of S. No. (ix) within 15 days. Other information in respect of (i) to (viii) duly supplied to the appellant.



(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

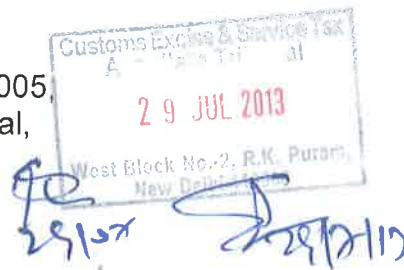
0853(A)/2013

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

Ref. No. : RTI/P-537/(6780/13)/Appeal/5769

Dated : 27-07-2013

3532/CR-13
29/7/13
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)	01-06-2013	
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	1-8-2013	
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 1-6-2013. (Annexure-1) (2) Copy of CPIO's letter dated 4-6-2013. (Annexure-2) (3) Copy of Appellant's letter to Asst. Registrar (Single Member) dated 7-6-2013. (Annexure-3) (4) Copy of Appellant's letter to Asst. Registrar (Customs/ST) dated 7-6-2013. (Annexure-4)	

187/55/13
5/9/13

BRIEF FACTS OF THE CASE

- (1) The appellant has filed an application dated 01-06-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:
- (A) *Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-*
- (i) Case No. ST/291/2008, ST/MISC/55811/2013 & ST/MISC/56122/2013 [Cellebrum Technologies Ltd. vs. CCE, Chandigarh(22.4.2013 - Item 97)]
 - (ii) Case no. ST/MISC/3441/2012 & ST/248/2006 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 18)]
 - (iii) Case No. ST/335/2008 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 19)]
 - (iv) Case No. ST/415/2009 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 20)]
 - (v) Case No. ST/1356/2010 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 21)]
 - (vi) Case No. ST/1591/2011 [Interocean Shipping Company vs. CST, Delhi(25.4.2013 - Item 22)]
 - (vii) Case No. ST/1592/2011 [Interocean Shipping (India) Ltd. vs. SST, Delhi(25.4.2013 - Item 23)]
 - (viii) Case No. ST/357-362/2011 [Mahindra World City vs. CCE, Jaipur(25.4.2013 - Item 24)]
- (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 received letter dated 4-6-2013 (**Annexure-2**) of the CPIO to Asst. Registrar (SM) & Asst. Registrar (Customs/ST). The Appellant vide letter dated 7-6-2013 to Asst. Registrar (SM) (**Annexure-3**) & letter dated 7-6-2013 to Asst. Registrar (Customs/ST)(**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 authorities 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 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 hence is illegal.
- (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 : 27-07-2013

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

Ref. No. : RTI/P-195/6780/13

Dated : 1-6-2013

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 copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry as listed in the Supplementary Cause List:-</p> <p>(i) Case No. ST/291/2008, ST/MISC/55811/2013 & ST/MISC/56122/2013 [Cellebrum Technologies Ltd. vs. CCE, Chandigarh(22.4.2013 - Item 97)]</p> <p>(ii) Case no. ST/MISC/3441/2012 & ST/248/2006 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 18)]</p> <p>(iii) Case No. ST/335/2008 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 19)]</p> <p>(iv) Case No. ST/415/2009 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 20)]</p> <p>(v) Case No. ST/1356/2010 [Delhi Public School vs. CST, Delhi(25.4.2013 - Item 21)]</p> <p>(vi) Case No. ST/1591/2011 [Interocean Shipping Company vs. CST, Delhi(25.4.2013 - Item 22)]</p>


Information is already provided to the appellate. Appeal does not need any further action.

		<p>(vii) Case No. ST/1592/2011 [Interocean Shipping (India) Ltd. vs. SST, Delhi(25.4.2013 - Item 23)]</p> <p>(viii) Case No. ST/357-362/2011 [Mahindra World City vs. CCE, Jaipur(25.4.2013 - Item 24)]</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 070750 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.	

Place : New Delhi

Encl. : as above

nnn/---6780


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

FNo. 08133/CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated. 04/6/13
ID No. 08133/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. RK Jain
application under RTI Act 2005 vide No. 6780 dated
01/6/13 (copy enclosed) wherein certain
information are sought as mentioned therein is related
to 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. 6780 dated
01/6/13 CPIO ID No. 08133/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 14/6/13, directly to the applicant and intimate
the undersigned within the stipulated time..

(Naresh Kumar)

Dy. Registrar/CPIO

Encl. As above.

1. Asst. Registrar Customs / Service Tax
2. do Single Member
3. _____
4. _____
5. _____

Copy to Sh. RK Jain 1512 B Bhoshma Pindamoh
Margi Nazim Nagar, New Delhi-3

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.

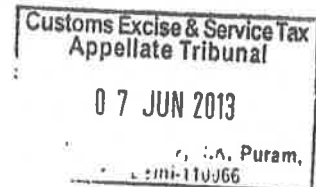
PHONE : 24651101

MOBILE : 9810077977

RTI/P-195/6780/13/R6349

07-06-2013

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



Sub: My RTI Application No. RTI/6780/13. dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-133/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

OC

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

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

NEW DELHI - 110 003.

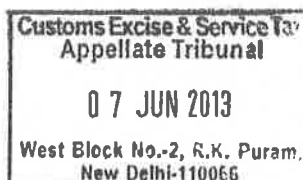
PHONE : 24651101

MOBILE : 9810077977

RTI/P-195/6780/13/R6348

07-06-2013

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



v. jay 17/6/13

Sub: My RTI Application No. RTI/6780/13, dated 1/6/2013

Dear Sir,

This refers to the letter F.No. 08-133/CESTAT/CPIO-ND/NK/2013 dated 4-6-2013 of Shri Naresh Kumar, Dy. Registrar/CPIO, 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]

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

Date of Hearing : 19.9.2013

Appeal No. 08-53(A)/2013
CPIO Appeal No. 5769/2013
CPIO Appeal No. 08-133/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....60/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. Information is already provided to the appellant. Appeal does not need any further action.


(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

60-52(A)/2013

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

Ref. No. : RTI/P-537/(6762/13)/Appeal/5761

Dated : 27-07-2013

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)	30-05-2013
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	30-7-2013
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 30-5-2013.(Annexure-1) (2) Copy of CPIO's letter dated 31-5-2013.(Annexure-2) (3) Copy of appellant's letter to Asst. Registrar (Single Member) dated 5-6-2013.(Annexure-3) (4) Copy of appellant's letter to Asst. Registrar(Customs/ST) dated 5-6-2013.(Annexure-4)

188/55/13
 5/9/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 30-05-2013 (**Annexure – 1**) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) *Please provide copies of all after court supplementary cause lists issued for Court No. 1 from 1-3-2013 till the date of providing the information.*

(B) *Please provide copies of all after court cause lists(except those covered in point (A) above) but including about mention matters for Court No. 1 from 1-3-2013 till the date of providing the information.*

(C) *Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry:-*

- (i) *Matter No. ST/Stay/55849/13 & ST/55612/13 [MS KPMG vs. CST, Delhi (2.4.2013 - Item 24)]*
- (ii) *Matter No. ST/698/08 [CCE, Jaipur-I vs. Brenco Incorporated(5.4.2013 - Item 1)]*
- (iii) *Matter No. ST/07/09 [CCE, Chandigarh vs. VTC Transport Ltd.(5.4.2013 - Item 2)]*
- (iv) *Matter No. ST/2687/2012 [Everest Industries Ltd. vs. CCE, Meerut-I(5.4.2013 - Item 3)]*
- (v) *Matter No. ST/stay/55849/13 & ST/55612/2013 [M/s KPMG vs. CCE, New Delhi(8.4.2013 - Item 92)]*
- (vi) *Matter No. ST/Stay/632-34/2012 & ST/304-305/2012 [Municipal Council vs. CCE, Rohtak(8.4.2013 - Item 93)]*
- (vii) *Matter No. ST/Stay/643/2012 & ST/308/2012 [Money Shaminder Tours & Travels vs. CCE, Chandigarh(8.4.2013 - Item 94)]*
- (viii) *Matter No. ST/331/2012 [Tyagi Associates vs. CCE, Ghaziabad(8.4.2013 - Item 1)]*

(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 received letter dated 31-5-2013 (**Annexure-2**) of the

CPIO to Asst. Registrar (SM) & Asst. Registrar (Customs/ST). The Appellant vide letter dated 5-6-2013 to Asst. Registrar (SM)(**Annexure-3**) & Asst. Registrar (Customs/ST) (**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 authorities 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 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 hence is illegal.
- (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 : 27-07-2013

o/c
Annexure-1

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

Ref. No. :RTI/P-195/6762/13

Dated : 30-5-2013

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

30 MAY 2013

West Block No.-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 copies of all after court supplementary cause lists issued for Court No. 1 from 1-3-2013 till the date of providing the information.</p> <p>(B) Please provide copies of all after court cause lists(except those covered in point (A) above) but including about mention matters for Court No. 1 from 1-3-2013 till the date of providing the information.</p> <p>(C) Please provide copies of all records of proceedings and orders except final order passed in the following appeals and also copies of all the Vakalatnamas and Notesheets put up by the Registry:-</p> <p>(i) Matter No. ST/Stay/55849/13 & ST/55612/13 [M/s KPMG vs. CST, Delhi (2.4.2013 - Item 24)]</p> <p>(ii) Matter No. ST/698/08 [CCE, Jaipur-I vs. Brenco Incorporated(5.4.2013 - Item 1)]</p> <p>(iii) Matter No. ST/07/09 [CCE, Chandigarh vs. VTC Transport Ltd.(5.4.2013 - Item 2)]</p> <p>(iv) Matter No. ST/2687/2012 [Everest Industries Ltd. vs. CCE, Meerut-1(5.4.2013 - Item 3)]</p>

CPIO's directed to provide the information in point A, B, C within 2 weeks

19/7/13

		<p>(v) Matter No. ST/stay/55849/13 & ST/55612/2013 [M/s KPMG vs. CCE, New Delhi(8.4.2013 - Item 92)]</p> <p>(vi) Matter No. ST/Stay/632-34/2012 & ST/304-305/2012 [Municipal Council vs. CCE, Rohtak(8.4.2013 - Item 93)]</p> <p>(vii) Matter No. ST/Stay/643/2012 & ST/308/2012 [Money Shaminder Tours & Travels vs. CCE, Chandigarh(8.4.2013 - Item 94)]</p> <p>(viii) Matter No. ST/331/2012 [Tyagi Associates vs. CCE, Ghaziabad(8.4.2013 - Item 1)]</p> <p>Note:-Please provide pointwise 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 069635 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.	

Place : New Delhi

Encl. : as above

san/---6762


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

FNo. 08-123/CESTAT/CPIO-ND/NK/2013
Customs Excise and Service Tax Appellate Tribunal,
West Block No.2, R.K. Puram, New Delhi: 110066.

Dated. 31/5/13
ID No. 08-123/13

Subject: Information sought under RTI Act 2005.

Sir,

Please refer to Sh./Smt. R K Jain
application under RTI Act 2005 vide No. 6762 dated
30-5-13 (copy enclosed) wherein certain
information are sought as mentioned therein is related
to 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. 6762 dated
30-5-13 CPIO ID No. 08-123/13 is forwarded
herewith to the following officers as deemed CPIO with
the request to provide the information/inspection on or
before 14-6-13, directly to the applicant and intimate
the undersigned within the stipulated time..

(Naresh Kumar)

Dy. Registrar/CPIO

Encl. As above.

1. Asst. Registrar Customs/S.T.
2. Single member
3. _____
4. _____
5. _____

Copy to Sh. R K Jain 1572 B Bhishma Pithamoh
Marg, Wazir Nagar, New Delhi-3

o/c

Annexure - 3

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 &

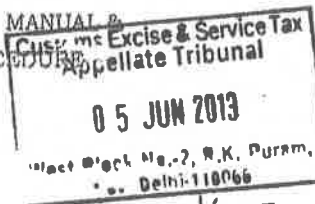
EXIM POLICY AND HANDBOOK OF PROCEDURE

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

NEW DELHI - 110 003.

PHONE : 24651101

MOBILE : 9810077977



RTI/P-195/6762/13/R6313
05-06-2013

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

Sub: My RTI Application No. RTI/6762/13, dated 30/5/2013

Dear Sir,

This refers to the letter F.No.08-123/CESTAT/CPIO-ND/NK/2013 dated 31-5-2013 of Shri Naresh Kumar, CPIO & Deputy Registrar, CESTAT transferring my aforesaid RTI application to you under section 6(3) of the RTI Act, 2005, for providing the information to me. 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]

9/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

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

NEW DELHI - 110 003.

PHONE : 24651101

MOBILE : 9810077977

Customs Excise & Service Tax
Appellate Tribunal

05 JUN 2013

West Block No.-2, R.K. Puram,
New Delhi-110066

RTI/P-195/6762/13/R6312

05-06-2013

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

Sub: My RTI Application No. RTI/6762/13, dated 30/5/2013

Dear Sir,

This refers to the letter F.No.08-123/CESTAT/CPIO-ND/NK/2013 dated 31-5-2013 of Shri Naresh Kumar, CPIO & Deputy Registrar, CESTAT transferring my aforesaid RTI application to you under section 6(3) of the RTI Act, 2005, for providing the information to me. 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 : 19.9.2013

Appeal No. 08-52(A)/2013

CPIO Appeal No. 6762/2013

I.D. No. 08-123/2013

Shri R.K. Jain

Appellant

Vs.

Shri Naresh Kumar, CPIO

Respondent

Order.....59/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. CPIO is directed to provide the information in respect of para A, B and C within two weeks.


(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.

D1 NO. 3608/CR-13-
31/7/13

58-51/10/13

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

Ref. No. : RTI/P-537/(6906/13)/Appeal/5752

Dated : 20-07-2013

SPS to
Hon'ble PAA

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

31 JUL 2013

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)	04-07-2013
3.	Details of the order appealed against	CPIO's letter F.No.08-146/CESTAT/CPIO-ND/NK/2013 dated 15-7-2013
4.	Prayer or relief sought	See Prayer clause at the end
5.	Last date for filing the appeal	15-8-2013
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 4-7-2013.(Annexure-1) (2) Copy of CPIO's letter dated 15-7-2013.(Annexure-2) (3) Copy of appellant's letter dated 19-7-2013(Annexure-3)

189/55/13
5/9/13

BRIEF FACTS OF THE CASE

(1) The appellant has filed an application dated 04-07-2013 (Annexure – 1) under Section 6 of the RTI Act, 2005 requesting for the following information:

(A) Please provide copies of all the Supreme Court and High Court decisions, judgements, orders, directions degrees and records of proceedings received by the CESTAT Registry at Delhi from 1.4.2013 till 30.6.2013.

(B) Please also provide copies of the Register/ Records being maintained regarding receipt of all such Orders, judgements, directions and degrees by the CESTAT Registry at Delhi from 1.4.2013 till date of providing 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) The CPIO vide its impugned order dated 15-7-2013 (Annexure-2) in question has wrongly and illegally denied the information to the appellant on the ground that Record Room is not maintaining any records of the files/documents received in the Record Room. The appellant by his letter dated 19-7-2013. 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 and the Deemed CPIO have erred in denying the information on the ground that the Record Room is not maintaining any records of the orders / judgments received by it, whereas in the past, the Record Room has provided such information to the appellant. 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 and the Deemed CPIO have not denied the existence of the information with them. Therefore, they are illegally, malafidely denying the information. Merely because of not maintaining register of the Dak received by the Record Room does not absolve the Deemed CPIO from his obligation under the RTI Act for providing the information held by him. 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 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 the appellant had earlier filed first appeal No. 5745 in the same RTI application but the earlier order passed by the CPIO / Deemed CPIO.
- (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 : 20-07-2013

o/c

Annexure - 1Application under Section 6 of the Right to Information Act, 2005

Ref. No. : RTI/P-195/6906/13

Dated : 4-7-2013

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 Tribunal
05 JUL 2013
West Block No.-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 copies of all the Supreme Court and High Court decisions, judgements, orders, directions degrees and records of proceedings received by the CESTAT Registry at Delhi from 1.4.2013 till 30.6.2013.</p> <p>(B) Please also provide copies of the Register/ Records being maintained regarding receipt of all such Orders, Judgements, directions and degrees by the CESTAT Registry at Delhi from 1.4.2013 till date of providing information.</p> <p>Note:-Please provide pointwise 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 107748 for Rs. 10 towards payment of fee is enclosed herewith. You are requested to filling the name in which the Postal Order is payable.	

Place : New Delhi
Encl. : as above

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

Annexure - 2

R16.8146 / CESTAT / CPIO-ND / NIC / 2013
CUSTOMS EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, WEST BLOCK NO.2,
R.K.PURAM, NEW DELHI: 110066.

Dt. 15-7-13
Id No. 8146/13

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. 6906
Dt. 4-7-13 and our ID No. 8146/13 the information
received from Record Incharge & Officer 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.

v. 5293

82/6/13

F.No.151/(21)/RTI/CESTAT/11/CT
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL, WEST BLOCK
NO.2, R.K. PURAM, NEW DELHI-66

Dated: 15 July 2013

Sub: Information Sought under RTI Act-2005 – Reg

Sir,

Kindly refer to Shri R.K. Jain RTI application No.RTI/P-195/6906/13 dated 04-7-2013 and CPIO letter No.08-146/CESTAT/CPIO-ND/NK/2013 dated 05-7-2013 wherein sought various information relating to point (A) & (B):-

Item (A) - When we receive any judgment/orders from the Bench Registry we will keep the order/judgments in the concerned file. If the applicant want the copy of any order/judgments of Hon'ble Supreme Court/High Court he may provide the details of CESTAT appeal number/final order number in which order of the Hon'ble Supreme Court/High Court was received.

Item (B) - In Record Room we are not maintaining any register relating to the entry of order/judgment of the Hon'ble Supreme Court/High Court.

986
15/7/13


I/C Record Room

To,

The CPIO/Dy Registrar
CESTAT, 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

o/c
Annu 3
Customs Excise & Service Tax
Appellate Tribunal
19 JUL 2013
1512-B, Bhishm Pitamah Marg,
Opp. ICICI Bank, R.K. Puram,
West Block 2, R.K. Colony,
New Delhi - 110066
PHONE : 24651101
MOBILE : 9810077977

RTI/P-195/6906/13/R6680
19-07-2013

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/6906/13, dated 4/7/2013

Dear Sir,

This refers to your letter F.No. 08-146/CESTAT/CPIO-ND/NK/2013 dated 15-7-2013, wherein you have enclosed the report of the Deemed CPIO and IC Record Room. As per the Govt. procedure, every section maintains Daily Diary and Receipt/Despatch Diary whereas the Record Room has reported that no record of the receipt of records is maintained. This means that there are no records maintained for the records kept in the Record Room which is an impossible position. You are requested to re-visit the matter and provide me of the correct position as a CPIO.

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 : 19.9.2013

Appeal No. 08-51(A)/2013
CPIO ID No. 08-146/2013

Shri R.K. Jain

Appellant

Vs.


Shri Naresh Kumar, CPIO

Respondent

Order.....58/2013.....

Heard Shri R.K. Jain appellant in presence of Shri Naresh Kumar, CPIO.

2. Inspection of records should be allowed to the appellant.


(Sahab Singh)

Appellate Authority under the RTI Act

To

1. Shri Naresh Kumar, Deputy Registrar/CPIO, CESTAT, New Delhi
2. Shri R.K. Jain, 1512-B, Bhishm Pitamah Marg, Wazir Nagar, New Delhi-110003.