

11

F. No. 15-27/CESTAT/CPIO/ND/2020
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 15-27/2020

Subject: Information sought under RTI Act, 2005.

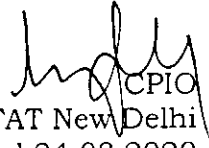
Sir/Madam,

Please refer to RTI application of Shri/Smt.Madhu (No.DOREV/R/T/20/00847/2), dated 06.07.2020 received from **U.S./CPIO Ministry of Finance Department of Revenue** in this office on 31.07.2020, under RTI Act 2005, the information received from **Care Taking Section** containing 01 page is enclosed herewith for your reference please.

Note:

1. RTI application's replies which are related to outer benches may be gathered from there by filing RTI applications there directly, for facilitation, CPIOs are nominated at all outer benches separately.
2. If aggrieved, you may file an appeal under section 19 of RTI Act within thirty days before Hon'ble First Appellate Authority, CESTAT New Delhi.

Encl:As Above


CPIO
CESTAT New Delhi
Dated:24.08.2020

To,

1. Ms.Madhu
Durga Bhawan, Near Institute of Technology,
Mohan Nagar, Gaziabad Pin-201007.

Copy to: Sh.Bhowmick,
U.S.to the Govt. of India
M/o Finance, D/o Revenue,
North Block, New Delhi-110004

ISSUED ON
24/8/20
IGN. (DESPATCH SECTION)
CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
NEW DELHI-110066

Care Taking Section

Subject:-Forwarding of information sought by Ms. Madhu under RTI
ACT- 2005:-reg


Please refer to your letter dated 06/08/2020 issued vide F. No. 15-27/CESTAT/CPIO-ND/2020 on the above subject.

In this regard the following is submitted:-

- i) Yes, CVC guidelines issued for hiring of vehicles are being followed strictly.
- ii) Yes, Relevant provision of GFR are followed while hiring of vehicles.
- iii) Yes, an open transparent tendering procedure to be completed by this tribunal for hiring of vehicles.
- iv) Yes, Only taxi registered vehicles are hired through tendering procedure.
- v) This point does not pertain to this section.
- vi) Yes, Log book is maintained of Department vehicles.
- vii) The hiring of vehicles are done through Tender Notice.
Service provider is M/s Sat Kartar Tour N Travels and office station New Delhi and vehicle no. is DL-8CAF-3998 & DL-1CR-2451 & DL-10CH-1116

This for information please.


F.No. 151(21)/RTI/CESTAT/11/CT
Dated:-20/08/2020


20-8. 20
(Mukesh Gupta)
Assistant Registrar

To

CPIO
CESTAT, Delhi

Please refer to point II) above No such case available.


20/8/2020
Assistant Registrar
Department of Transport
New Delhi-83

9

F. No. 33/RTI/Misc./CESTAT-ND/Admn.2016- Vol II
सीमाशुल्कउत्पादशुल्कएवंसेवाकरअपीलीयअधिकरण, पश्चिमीखण्ड -२, रामकृष्णपुरम, नईदिल्ली66
CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
West Block No. 2, R.K. Puram, New Delhi – 110 066

Dated: 31.7.2020
I.D. No. 15-27/2020

ADMINISTRATION SECTION

Sub: Information sought under Right to Information Act, 2005

With reference to the RTI application received from Sh./Smt. Madhu Ref. (F. No. DOREV/R/T/20/00847/2 dated 6.7.2020) received by transfer from Under Secretary Ad.1C letter dated 31.7.2020 in CPIO I.D. No. 15-26/2020 (CESTAT), the information sought by the applicant under RTI Act 2005.

In this regard, the point-wise replies are as under:-

- Point 1 to4** - The requisite information does not pertain to Admin Section.
However, the requisite information may be sought from Caretaking Section.
- Point 5** - No such option from Officers drawing Grade Pay of Rs. 10,000(Pre-revised) and above has been received in Admin Section, however, CPIO Delhi may obtain the requisite information from Caretaking Section and Cash Section.
- Point 6**- Log Book for vehicles attached with CESTAT Delhi is not maintained in Admin Section. However, CPIO Delhi may obtain requisite information from Caretaking Section.
- Point 7**- Details of Hiring of vehicles through GeM Portal or otherwise may be sought from Caretaking Section as the matter does not pertain to Admin Section.


5.8.20
(Assistant Registrar)
CESTAT New Delhi

To
CPIO/Accounts Officer, CESTAT, New Delhi

8

F. No. 15-27/CESTAT/CPIO-ND/2020
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 15-27/2020

Subject: Information sought under RTI Act, 2005.

Sir/Madam,


Please refer to RTI application of Shri/Smt. Madhu (No. DOREV/R/T/20/00847/2), dated 06.07.2020 **received from U.S./CPIO Ministry of Finance Department of Revenue** in this office on 31.07.2020, under RTI Act 2005 (copy enclosed) wherein certain information is sought as mentioned therein is related to your section.

Therefore, in terms of the provisions of Section 6(3) & 5(4) read with Section 5(5) of RTI Act 2005 the RTI application CPIO ID No. **15-27/2020 (CESTAT)** is forwarded herewith to you as **CPIO** under section 5(4), with request to provide the correct and Para wise information/inspection on or before 20.08.2020 directly to the applicant as permissible under the RTI Act & DOP & T. O.Ms within the stipulated time, failing which, as CPIO under section 5(4), you will be responsible for delay/denial and penalty if any, under section 20 of RTI Act. Further requested to follow OM No.12/31/2013-IR dated; 12.02.2013 circulated on 23.05.2013 and O.M. No. 1/18/2011-IR dated 16.09.2011.

Note:-

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

Encl: As above.


CPIO
CESTAT New Delhi
Dated:06.08.2020

For Compliance to:

1. Care Taking section.

Copy to: (For Information)

1. Ms. Madu
Durga Bhawan, Near Institute of Technology,
Mohan Nagar, Gaziabad Pin-201007.
2. Sh. Bhowmick, (Ad-1C)
U.S. to the Govt. of India
M/o Finance, D/o Revenue,
North Block, New Delhi-11000.



Recd/
Dated
06/08/20

7

F. No. 15-27/CESTAT/CPIO-ND/2020
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 15-27/2020

Subject: Information sought under RTI Act, 2005.

Sir/Madam,


Please refer to RTI application of Shri/Smt. Madu (No. DOREV/R/T/20/00847/2), dated 06.07.2020 received from **U.S./CPIO Ministry of Finance Department of Revenue** in this office on 31.07.2020, under RTI Act 2005 (copy enclosed) wherein certain information is sought as mentioned therein is related to your section.

Therefore, in terms of the provisions of Section 6(3) & 5(4) read with Section 5(5) of RTI Act 2005 the RTI application CPIO ID No. **15-27/2020 (CESTAT)** is forwarded herewith to you as **CPIO** under section 5(4), with request to provide the correct and Para wise information/inspection on or before 20.08.2020 directly to the applicant as permissible under the RTI Act & DOP & T. O.Ms within the stipulated time, failing which, as CPIO under section 5(4), you will be responsible for delay/denial and penalty if any, under section 20 of RTI Act. Further requested to follow OM No.12/31/2013-IR dated; 12.02.2013 circulated on 23.05.2013 and O.M. No. 1/18/2011-IR dated 16.09.2011.

Note:-

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

Encl: As above.


CPIO
CESTAT New Delhi
Dated: 31.07.2020


For Compliance to:

1. Asstt. Registrar (Admn. Section)

Copy to: (For Information)

1. Ms. Madu
Durga Bhawan, Near Institute of Technology,
Mohan Nagar, Gaziabad Pin-201007.
2. Sh. Bhowmick, (Ad-1C)
U.S. to the Govt. of India
M/o Finance, D/o Revenue,
North Block, New Delhi-11000

3/8/2020
ISSUED ON
SIGN (CESTAT/CPIO SECTION)
CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
NEW DELHI-110006


31/7/2020



6
RTI MATTER

फॉ. सं./F.No.R-20011/115/2020-CA Cell
भारत सरकार/Government of India
वित्त मंत्रालय/Ministry of Finance
राजस्व विभाग/Department of Revenue
सक्षम प्राधिकारी सेल/Competent Authority Cell

sh. Mahesh Singh
27/7/2020

North Block, New Delhi
Dated 28 July, 2020

To

1. The CPIO, O/o Competent Authority & Administrator, Delhi.
2. The CPIO, O/o Competent Authority & Administrator, Mumbai.
3. The CPIO, O/o Competent Authority & Administrator, Chennai.
4. The CPIO, O/o Competent Authority & Administrator, Kolkata.
5. The CPIO, Appellate Tribunal, New Delhi.
6. The CPIO, ITSC, New Delhi
7. The CPIO, C&CESC, New Delhi
8. The CPIO, AAR, New Delhi
9. The CPIO, CESTAT, New Delhi

Subject:- Transfer of an online RTI Application (reg no. DOREV/R/T/20/00847/2) dated 06.07.2020 of Ms. Madhu, Uttar Pradesh under the RTI Act, 2005- reg

Sir,

Please find enclosed an online RTI Application dated 06.07.2020 of Ms. Madhu, Uttar Pradesh received on 27.07.2020.

2. Since the subject matter in the RTI application dated 07.07.2020 pertains to your office, the RTI application is transferred under section 6(3) of the RTI Act, 2005. You are requested to send the reply directly to the applicant and a copy of the same may also be endorsed to this cell for information.

Encl: As above

Yours faithfully,

(S. Bhowmick)

Under Secretary & CPIO (AD.1C Branch)

Tel.No.23095369

फॉ. सं./F.No.R-20011/115/2020-CA Cell
भारत सरकार/Government of India
वित्त मंत्रालय/Ministry of Finance
राजस्व विभाग/Department of Revenue
सक्षम प्राधिकारी सेल/Competent Authority Cell

North Block, New Delhi

Dated 28 July, 2020

To

1. The CPIO, O/o Competent Authority & Administrator, Delhi.
2. The CPIO, O/o Competent Authority & Administrator, Mumbai.
3. The CPIO, O/o Competent Authority & Administrator, Chennai.
4. The CPIO, O/o Competent Authority & Administrator, Kolkata.
5. The CPIO, Appellate Tribunal, New Delhi.
6. The CPIO, ITSC, New Delhi
7. The CPIO, C&CESC, New Delhi
8. The CPIO, AAR, New Delhi
9. The CPIO, CESTAT, New Delhi

Subject:- Transfer of an online RTI Application (reg no. DOREV/R/T/20/00847/2) dated 06.07.2020 of Ms. Madhu, Uttar Pradesh under the RTI Act, 2005- reg

Sir,

Please find enclosed an online RTI Application dated 06.07.2020 of Ms. Madhu, Uttar Pradesh received on 27.07.2020.

2. Since the subject matter in the RTI application dated 07.07.2020 pertains to your office, the RTI application is transferred under section 6(3) of the RTI Act, 2005. You are requested to send the reply directly to the applicant and a copy of the same may also be endorsed to this cell for information.

Encl: As above

Yours faithfully,

-Sd/-

(S.Bhowmick)

Under Secretary & CPIO (AD.1C Branch)

Tel.No.23095369

Copy for information to:-

- (i) Ms. Madhu, Durga Bhawan, Near Institute of Technology, Mohan Nagar, Gazabad, Uttar Pradesh - 201007
- (ii) Smt. Sudha Rani (Section Officer), RTI Cell, Department of Revenue, Room no.- B-31, North Block, New Delhi

(S.Bhowmick)

Under Secretary & CPIO (AD.1C Branch)

Tel.No.23095369

Systems improvement - Guidelines regarding hiring of vehicles by Government offices

The Commission has come across instances of hiring vehicles owned by near ones/relatives of Government servants, for operational/ staff car purposes, either without following the due processes of tendering, or by following such procedure as an empty formality by getting three or more quotes from interested parties at pre-determined prices. It is further seen that majority of the vehicles so hired are not registered as taxi/transport vehicles but are registered as private vehicles. There are also allegations that some officers are buying high end expensive cars in the names of their relatives or persons known to them and are taking such vehicles on lease allegedly for official purposes.

2. The Commission is of the view that such a practice virtually amounts to carrying on private business by the officers which is a prohibited conduct. Accordingly, the Commission advised Ministry of Finance and DoPT on 12.08.2016 to prescribe guidelines and procedure to curb such undesirable practices in hiring vehicles and that an open, transparent procedure through which vehicles registered as taxi or public transport are hired to effect systemic improvements and prevent such undesirable practices.

3. As advised by the Commission, the Department of Revenue, Ministry of Finance vide Circular No.13011/50/2016-Vig dated 23rd September, 2016 issued instructions to prevent corrupt / undesirable practices in awarding contracts for hiring of vehicles to Government offices. D/o Revenue advised all HoDs and concerned officers of the attached / subordinate offices of the Department to ensure that in addition to the existing provisions/rules for hiring of vehicles, the following instructions are duly complied with:

- (i) Relevant provision of GFR are strictly followed while hiring of vehicles;
- (ii) An open, transparent tendering procedure is adopted;
- (iii) Only vehicles registered as taxi or public transport vehicle are hired;
- (iv) Log book is maintained as in case of Department vehicles.

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) :	DOREV/R/T/20/00847/2	Date of Receipt (प्राप्ति की तारीख) :	06/07/2020
Transferred From (से स्थानांतरित):	Department of Revenue on 11/07/2020 With Reference Number : DOREV/R/T/20/00847		
Remarks(टिप्पणी) :	RTI Application is marked to concerned CPIO of Deptt. of Exp.and also being transferred to CGA under Section 6 (3) of the RTI Act,2005 to furnish available information on points concerning them to applicant directly.		
Type of Receipt (रसीद का प्रकार) :	Electronically Transferred from Other Public Authority	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	MADHU	Gender (लिंग) :	Female
Address (पता) :	DURGA BHAWAN, NEAR INSTITUTE OF TECHNOLOGY, MOHAN NAGAR GAZIABAD, Pin:201007		
State (राज्य) :	Delhi	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	+91-9204584811
Email-ID (ईमेल-आईडी) :	madhusweet23@rediffmail.com		
Status (स्थिति) (Rural/Urban) :	Rural	Education Status :	
Requester Letter Number (निवेदक पत्र संख्या) :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Citizenship Status (नागरिकता)	Indian
Amount Paid (राशि का भुगतान) :	0 (Received by Department of Expenditure) (original recipient)	Mode of Payment (भुगतान का प्रकार)	Payment Gateway
Does it concern the life or Liberty of a Person? (क्या यह किसी व्यक्ति के जीवन अथवा स्वतंत्रता से संबंधित है?) :	No(Normal)	Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	S.Bhomick US(AD.IC)
Information Sought (जानकारी)	Kindly see the matter		

मांगी):

23

As advised by the Commission, the Department of Revenue, Ministry of Finance vide Circular No.13011/50/2016-Vig dated 23rd September, 2016 issued instructions to prevent corrupt / undesirable practices in awarding contracts for hiring of vehicles to Government offices. D/o Revenue advised all HoDs and concerned officers of the attached / subordinate offices of the Department were to ensure that in addition to the existing provisions/rules for hiring of vehicles, various instructions are to be duly complied with. Following information in respect of Offices Coming under Controller General of Accounts (viz CGA HQrs Office, CBIC, CBDT, CPAO, all the offices of PFMS State Directorates, all offices of UD etc) are to be given under RTI Act 2005:

(i) Whether CVC guidelines issued for hiring of vehicles are being followed.

(ii) Whether Relevant provision of GFR are strictly followed while hiring of vehicles.

(iii) Whether an open, transparent tendering procedure is being adopted.

Original RTI Text
(मूल आरटीआई
पाठ):

(iv) Only vehicles registered as taxi or public transport vehicle are hired.

(v) The officers drawing Grade Pay of Rs. 10,000/-(Pre-revised) & above are entitled for Staff Car, for Commuting between office and residence. They have the option to retain the facility or draw Transport Allowance. If they opt for the Transport Allowance, the Staff Car facility shall be withdrawn from the date they have opted for the Transport Allowance. The options exercised by the officers for taking Transport Allowance will be examined by the administrative Ministry (OM No. 21/5/2017-E.II(B) dated 7th July, 2017). Whether, options exercised by the officers for taking Transport Allowance have been examined by the administrative authority.

(vi) Whether Log book is maintained as in case of Department vehicles.

(vii) Whether, hiring of vehicles are being done through GeM (Government e Marketplace). If not, Office Name and Office Station alongwith vehicle registration number (Which were not hired through GeM), may please be coded in the reply of RTI.

Print Save Close

30 SEP 2018

Ministry of Finance
Department of Revenue
(Vigilance IIC)

200 G.P.R.

CIRCULAR

North Block, New Delhi
Dated the 23rd September 2018

2/115 B

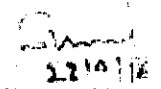
In a recent communication, the Central Vigilance Commission has indicated the instances of complaints received from time to time in the Commission regarding growing undesirable trend of the officers of the Government entitled to hire a vehicle either for operational use or as staff car have been hiring such vehicles from the near and dear of Government servants either without following the usual processes of tendering or by following such procedure as an empty formality by getting three or more quotes from interested parties at pre-determined process. It has also observed that majority of the vehicles so hired are not registered as taxi/transport vehicles but are registered as private vehicles. Also there are allegations that some officers are buying high end expensive cars in the name of their near & dear or persons known to them and are taking such vehicles on lease allegedly for official purpose. These are certainly undesirable practices and virtually amount to carrying on private business by the officers which is a prohibited conduct.

In view of above, in addition to the existing provisions/rules for hiring of vehicles, all staff and concerned Officers may be instructed to ensure the following

- (i) relevant provisions of GFR are strictly followed while hiring of vehicles
- (ii) an open, transparent tendering procedure is adopted
- (iii) only vehicles registered as taxi or public transport vehicle are hired
- (iv) log book is maintained as in case of Departmental vehicles

This is being communicated for improving the systems and to prevent corrupt/undesirable practices henceforth. This is only illustrative, not comprehensive hence, all relevant rules in this regard may also be adhered to.

This issues with the approval of AS (R) & CVO


22/09/18
(Sunil Kumar Meena)
Under Secretary (Vigilance)

Distribution:-

- 1. Chairman, CBEC, North Block, New Delhi
- 2. Chairperson, CBDT, North Block, New Delhi
- 3. Director (Admn), D/o Revenue, North Block, New Delhi
- 4. Chairman, JTSC, 4th Floor, Lok Nayak Bhawan, New Delhi
- 5. Chairman, C&CE Settlement Commission, Room No 345-363, 3rd Floor, Hotel Samrat, Karkya Marg, Chankyapur, New Delhi
- 6. Chairman, ATEP, 4th Floor, Lok Nayak Bhawan, New Delhi
- 7. Director General, CEIB, 6th Floor, Janpath Bhawan, New Delhi
- 8. Director, Directorate of Enforcement, 6th Floor, Lok Nayak Bhawan, New Delhi
- 9. President, CESTAT, West Block-2, R K Puram, New Delhi
- 10. Competent Authority, 9th Floor, B Wing, Lok Nayak Bhawan, New Delhi
- 11. Chairman, Authority for Advance Rulings (C&CE), 4th Floor, Hotel Samrat, Chankya Puram, New Delhi
- 12. Chairman, Authority for Advance Rulings (I), NDMC Building, Yashwanth Place, Chankya Puram, New Delhi
- 13. Chairman, Adjudicating Authority under PMCA
- 14. Narcotics Commissioner, CBN, D/o Revenue, 19, The Mall, Motar, Gwalior, MP
- 15. CCF, GOAF, Jawahar Vyapar Bhawan, 19th Floor, Tenzley Marg, New Delhi

Copies for information to