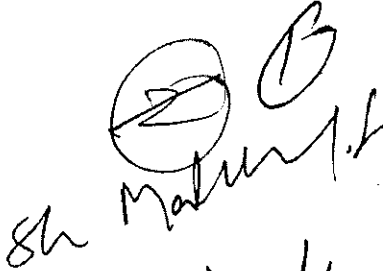


PIO
CUSTOMS, EXCISE AND SERVICE TAX APPELATE TRIBUNAL
WEST BLOCK 2, R.K.PURAM SECTOR-1,
NEW DELHI-110 066
OFFICE TELE NO: 011-26108426


Sh. Mahesh Ch. Sharma
11/9/19

Ref.: **Case of Autogas India (Sh. Arun Badia), Gurgaon**

Sub.: Seeking Information under 6(1) of Right to Information Act, 2005 in connection to above reference.

Sir,

With reference to above said reference, I, Puneet Sharma S/o Sh. Mahesh Chand Sharma, I wish to seek information under 6(1) Right to Information Act, 2005.

Particulars of information sought:

S. No.	Information Required
1	Certified copy of All documents with the case of Autogas India, Gurgaon: a. Petition/Appeal/Application along with all documents in annexures b. Final Orders by Hon'ble Court


Details of RTI application Fee:

Postal Order no.- 41F 491772 Dated- 28.08.2019 Amount Rs.- 10 (Rs Ten Only)

Please communicate the fee to be paid for certified copies of above desired documents.

Please transfer this application U/s (6) (3), if record/information is not related to your office.
Please provide certified copy of the transfer application to the applicant.

Applicant


Puneet Sharma
S/o Sh. Mahesh Chand Sharma

Email: **pungrow@gmail.com**
Mob.: **9414268842, 9636020333**

Address: F-1, K-165, Shailputri Apartment
Shyam Nagar, Jaipur -302 019 (Rajasthan)

Encl.: 1. Copy of Aadhar Card

2. Postal Order no.- 41F 491772 dated- 28.08.2019 Amount Rs.- 10 (Rs Ten Only)



F. No. 14-38/CESTAT/CPIO-ND/2019
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 14-38/2019

Subject: Information sought under RTI Act, 2005.

Sir/Madam,


Please refer to RTI application of Shri/Smt. Puneet Sharma No. NIL dated 05.09.2019 **received**, in this office on 11.09.2019, under RTI Act 2005 (copy enclosed) wherein certain information are sought as mentioned therein is related to your section.

Therefore, in terms of the provisions of Section 6(3) & 5(4) read with Section 5(5) of RTI Act 2005 the RTI application CPIO ID No. **14-38/2019(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 04.08.2019 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 thereunder, under intimation to the undersigned.**

Encl: As above.

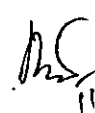

CPIO
CESTAT New Delhi
Date: 11.09.2019

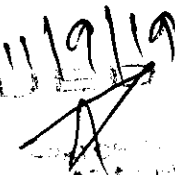
For Compliance to:

1. Dy. Registrar (Judicial)

Copy to: (For Information)

1. Sh. Puneet Sharma S/o Sh. Mahesh Chand Sharma
F-1,K-165, Shailputri Apartment
Shyam Nagar, Jaipur-302019 (Rajasthan)


11/09/19

ISSUED ON

CUSTOMS, EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL
WEST BLOCK NO. 2, R.K. PURAM
NEW DELHI - 110 066



(4) (3)

F. No. 14-38/CESTAT/CPIO-ND/2019
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 14-38/2019

Subject: Information sought under RTI Act, 2005.

Sir/Madam,


Please refer to RTI application of Shri/Smt. Puneet Sharma No. NIL dated 05.09.2019 **received**, in this office on 11.09.2019, under RTI Act 2005 (copy enclosed) wherein certain information are sought as mentioned therein is related to your section.

Therefore, in terms of the provisions of Section 6(3) & 5(4) read with Section 5(5) of RTI Act 2005 the RTI application CPIO ID No. **14-38/2019(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 04.08.2019 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.

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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 thereunder, under intimation to the undersigned.

Encl: As above.


CESTAT New Delhi
Date: 11.09.2019

For Compliance to:

- ✓ 1. Dy. Registrar (Judicial)

Copy to: (For Information)

1. Sh. Puneet Sharma S/o Sh. Mahesh Chand Sharma
F-1,K-165, Shailputri Apartment
Shyam Nagar, Jaipur-302019 (Rajasthan)

On examination of the RTI application it is noticed that the information as seeker has not given the details of appeal No. in which the information is to be provided to applicant. Hence, the applicant may be requested to give the details of appeal so that the required information may be supplied to the applicant.

11/09/19

*Recd
11/09/19
C.P.I.O.
New Delhi*

F. No. 14-38/CESTAT/CPIO-ND/2019
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

3
9

CPIO ID No. 14-38/2019

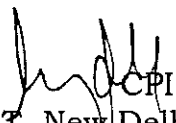
Subject: Information sought under RTI Act, 2005.
Sir/Madam,

Please refer to RTI application of Shri/Smt.Puneet Sharma No.Nil dated 05.09.2019) **received**, in this office on 11.09.2019, under RTI Act 2005, the information received from **Dy.Registrar (Jundicial)**, containing 01 page is enclosed herewith for your reference please.

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

Note:

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


CPIO
CESTAT, New Delhi
Date: 16.09.2019

Encl: as above

To,

1. **Sh. Puneet Sharma S/o Sh. Mahesh Chand Sharma**
F-1,K-165, Shailputri Apartment
Shyam Nagar, Jaipur-302019 (Rajasthan)

16/9/19
ISSUED ON
SIGN. (DESPATCH SECTION)
CUSTOMS, EXCISE & SERVICE
APPELLATE TRIBUNAL
NEW DELHI-110066





F. No. 14-38/CESTAT/CPIO-ND/2019
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 14-38/2019

Subject: Information sought under RTI Act, 2005.

Sir/Madam,

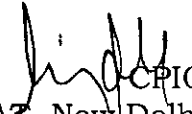
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Note:

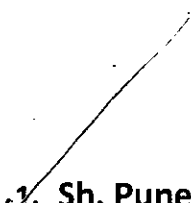
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2. If aggrieved, you may file an appeal under section 19 of RTI Act within thirty days before Hon'ble First Appellate Authority, CESTAT New Delhi.


CPIO
CESTAT, New Delhi
Date: 16.09.2019

Encl: as above

To,

1.  Sh. Puneet Sharma S/o Sh. Mahesh Chand Sharma
F-1,K-165, Shailputri Apartment
Shyam Nagar, Jaipur-302019 (Rajasthan)

1- Paid
29/09/19

(6)

Date: 20.09.2019

CPIO, CESTAT
Customs, Excise and Service Tax Appellate Tribunal
West Block, No. -2, R K Puram, New Delhi - 110 066

Ref.: F. NO. 14-38/CESTAT/CPIO-ND/2019
Letter Dated: 16.09.2019

Sub.: Submission of details of case number for seeking information required under
RTI

Sir,

With reference to the reply in connection to above said reference, please provide:

Certified copy of All documents(Petition/Appeal/Application along with all documents
in annexures , Orders by Hon'ble Court) in the matter of following: -

Customs Appeal No. C/59666/2013-CU[SM]
[Arising out of Order-In-Appeal No. CC (A) CUS/PREV/354-355/2013 dated
31.05.2013 passed by Commissioner of Customs (Appeal), New Customs House,
New Delhi-110037]

Sincerely



Puneet Sharma

Mob.: 9414268842

Email id: pungrow@gmail.com

Address: F-1, K-165, Shailpuyri Apartment,

Shyam Nagar, Jaipur-302 019

For vet



IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI

COURT NO. III

Customs Appeal No. C/59666/2013-CU[SM]
[Arising out of Order-In-Appeal No. CC (A) CUS/PREV/354-355/2013 dated 31.05.2013 passed
by Commissioner of Customs (Appeal), New Customs House, New Delhi-110037]

Commissioner of Central Excise, Delhi
Appellant(s)

Vs.

Auto Gas India
Respondent(s)

Appearance:

Ms. Vibha Narang (Advocate) for the Appellant
Mr. M. R. Sharma (AR) for the Respondent

CORAM:

Hon'ble Mr. S.K. Mohanty, Member (Judicial)

Date of Hearing/ Decision. 09.12.2016

FINAL ORDER No. 55919 /2016

Per S. K. Mohanty:

Revenue is in appeal against the impugned order dated 31.05.2013 passed by the Commissioner of Customs (Appeals), New Delhi. The grievance of Revenue in this appeal is that in terms of Section 128A(3) of the Customs Act, 1962, the Commissioner (Appeals) has no power to remand the matter back to the Original Authority.

2. Heard both sides.

3. Sub section (3) of Section 128A ibid was substituted by Finance Act, 2001 with effect from 11.05.2001. The effect of substitution is that the Commissioner (Appeals) has been divested of the powers to remand the case back to the adjudicating authority. Thus, I find force in the appeal filed by the Revenue.

4. However, considering the fact that the issue should be addressed in a better way by the original authority, I am of the view that the matter can be go back to him for ascertaining the fact as to whether the extended period of limitation under the proviso to Section 28(1) of the Customs Act, 1962 can be invoked in this case and thereafter to re-work the demand. The original authority should pass a reasoned and speaking order on the limitation aspect, preferably within a period of three months from the date of receipt of this order.

5. Therefore, after setting aside the impugned order, the matter is remanded to the original authority for passing the adjudication order in line with the above observations.

The appeal is disposed of in above terms.

(Dictated and pronounced in open court)

(S. K. Mohanty)
Member(Judicial)

Puneet
29/09/19

Date: 20.09.2019

CPIO, CESTAT
Customs, Excise and Service Tax Appellate Tribunal
West Block, No. -2, R K Puram, New Delhi - 110 066

Ref.: F. NO. 14-38/CESTAT/CPIO-ND/2019
Letter Dated: 16.09.2019

Sub.: Submission of details of case number for seeking information required under
RTI

Sir,

With reference to the reply in connection to above said reference, please provide:

Certified copy of All documents(Petition/Appeal/Application along with all documents
in annexures , Orders by Hon'ble Court) in the matter of following: ..

Customs Appeal No. C/59666/2013-CU[SM]
[Arising out of Order-In-Appeal No. CC (A) CUS/PREV/354-355/2013 dated
31.05.2013 passed by Commissioner of Customs (Appeal), New Customs House,
New Delhi-110037]

Sincerely

Puneet Sharma

Mob.: 9414268842

Email id: pungrow@gmail.com

Address: F-1, K-165, Shailpuyri Apartment,
Shyam Nagar, Jaipur-302 019



F. No. 14-38/CESTAT/CPIO-ND/2019
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 14-38/2019

Subject: Information sought under RTI Act, 2005.

Sir/Madam,

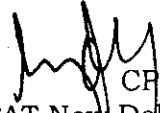
Please refer to RTI application of Shri/Smt. Puneet Sharma No. NIL dated 20.09.2019 **received**, in this office on 24.09.2019, under RTI Act 2005 (copy enclosed) wherein certain information are sought as mentioned therein is related to your section.

Therefore, in terms of the provisions of Section 6(3) & 5(4) read with Section 5(5) of RTI Act 2005 the RTI application CPIO ID No. **14-38/2019(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 04.08.2019 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 thereunder, under intimation to the undersigned.

Encl: As above.


CPIO
CESTAT New Delhi
Date: 25.09.2019

For Compliance to:


1. Dy. Registrar (Judicial), Single Bench.

Copy to: (For Information)

1.Sh. Puneet Sharma S/o Sh. Mahesh Chand Sharma
F-1,K-165, Shailputri Apartment,
Shyam Nagar, Jaipur-302019 (Rajasthan).

25/9/19
ISSUED ON
SIGN. (DESPATCH SECTION)
CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
NEW DELHI-110066

*Hic
Smt
P.P.*
*amongst the
is formation
as sought by
the applicant myself
so that the same
may be supplied to
the applicant.*
*MS
24/09/19*


25/09/19

10

Single Member Appeal Branch

CPIO I.D. No. 14-38/2019

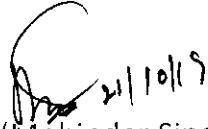
Dated : 17/10/2019

Subject :- RTI Application dated 20/09/2019 filed by Sh. Puneet Sharma, (CPIO I.D. No. 14-38/2019 dated 25.09.19)- provide certified copy of all documents (Petition/Appeal/Application along with all documents in annexure, orders by Hon'ble Court in the matter of Customs Appeal No. C/59666/2013-CU(SM) – reg.

With reference to the above RTI application, it is to inform that as per the CESTAT, Procedure Rules 1982, and CESTAT Judicial manual, the record of the appeal and proceedings are to be given only to the concerned parties.

Therefore, in view of above facts, the appeal papers and other court proceedings cannot be furnished to the applicant as requested.

CPIO is requested to transmit the same to the applicant.


(Mohinder Singh)
Dy. Registrar (Judl.)
SM Appeal Branch

To
CPIO, CESTAT, New Delhi



F. No. 14-38/ CESTAT/CPIO-ND/2019
Customs, Excise and Service Tax Appellate Tribunal
West Block No. 2, R.K. Puram, New Delhi-110 066

CPIO ID No. 14-38/2019

Subject: Information under Right to Information Act 2005.

Sir/Madam,


Please refer to RTI application of Shri/Smt. Puneet Sharma (No.NIL dated 20.09.2019) **received** in this office on 24.09.2019, under RTI Act 2005, the information received from **Dy. Registrar (Single Branch)**, containing 1 pages is enclosed herewith for your reference please.

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

Note:

1. 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.

2. If aggrieved, you may file an appeal under section 19 of RTI Act within thirty days before Hon'ble First Appellate Authority, CESTAT New Delhi.


CPIO
CESTAT, New Delhi
Date: 22.10.2019

To,

Sh. Puneet Sharma S/o Sh. Mahesh Chand Sharma,
F-1,K-165, Shailputri Apartment,
Shyam Nagar, Jaipur-302019 (Rajasthan).



23/10/19
ISS
NEW DELHI-110002