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To

Date: - 17 Oct 2018.

The CPIO & Deputy/Assistant Commissioner of Customs.  
Office of the Principal Commissioner of Customs (General), Mumbai Zone-I  
New Custom House, Ballard Estate,  
Mumbai: - 400 001.

Sir,

**Sub: Not considered for grant of seniority of the year 2003 - req...**

I, Vijay Kerketta, Superintendent of Customs (P) presently posted at the Un – accompanied Baggage Centre, Indra Docks, Mumbai, C/o Commissioner General Zone – I, resident of -103 Alfa Apartments, I.C.Colony, Mt. Poincur, Borivali (West), Mumbai 400 103, joined Mumbai Customs Zone as a Preventive Officer on 08/02/1993 and I was promoted to the Grade of Superintendent of Customs (P) on 15/10/2007 vide EOO No. 208/2007 issued from file nos.:-

- i. F.No.S/20-20/2007 Estt / S/5-395/2006 P&E.
- ii. F.No.S/20-21/2007 Estt / S/5-342/2007 P&E.
- iii. F.No.S/20-22/2007 Estt / S/5-311/2007P&E.

2. It is gathered that the Review DPC of all the previously held DPCs, starting from the year 2002 was held on 04-06/04/2016 in the wake of 50 unreported vacancies, which was not communicated to the Mumbai Customs Zone during the cadre restructuring exercise of 2002.

3. It is pertinent to mention here, that in the Review DPC held on 04-06/04/2016, some of my batch mates (Shri Harish.D.Hinduja, & Smt Sophia Oomen, both Superintendents of 1993 batch), have been granted the seniority of the year 2003 after taking into account the aforesaid 50 vacancies.

4. In context of the foregoing, I may please be informed:-

- As to why was I not granted the seniority of the year 2003 ,after taking into account the aforesaid 50 vacancies?
- In the preceding two years, has the department furnished the minutes of the DPC to any of the RTI applicants?

5. It is submitted that as per Section 22 of the RTI Act 2005 the RTI Act would override all the Existing Acts including the Official Secret Act. Further, the information sought above is not included among 11 subjects listed in section 8 of the RTI Act, and hence the aforesaid information that is sought cannot be refused.

6. I have enclosed a NCH cash challan No 616 dated 17/10/2018 for Rs.10/-.

Yours faithfully,

(Vijay Kerketta)  
Superintendent (P)/UBC.  
103 Alfa Apartments,  
I.C.Colony Mt. Poincur  
Borivali (west) , Mumbai 400 103.  
Email Id:- [kerketta.vijay@gmail.com](mailto:kerketta.vijay@gmail.com)  
Mobile No: - 9821444985.

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प्रधान सीमाशुल्क आयुक्त (सामान्य) कार्यालय  
OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL)  
सूचना का अधिकार कक्ष, नवीन सीमाशुल्क भवन, बेलाई इस्टेट,  
RIGHT TO INFORMATION CELL, NEW CUSTOM HOUSE,  
BALLARD ESTATE,  
मुंबई/MUMBAI- 400 001

F.No. RTICG/Gen-215/2018-19

Date: 14/11/2018

To,  
Shri Vijay Kerketta.  
103, Alfa Apartments,  
I.C. Colony, Mt. Painsur,  
Borivali (West),  
Mumbai- 400 103.

Issued by Speed Post  
14/11/18

विषय: आरटीआई अधिनियम 2005 के अन्तर्गत सूचना प्राप्त करने हेतु आवेदन।

Please refer to your RTI application dated 17.10.2018 received in this office on 17.10.2018. The information has been received from the P & E Section and the point wise reply is given below:

**" Point No.01:**

Under the RTI Act, 2005, applicant can seek only information which is available with public authority in material form. There is no provision to seek clarification by raising queries. Hence, clarification cannot be provided (CIC decision dated 10.05.2007 in case of K. Anand Kini V. Canara Bank).

**Point No. 2: Yes**

If you are not satisfied with the information provided, you can prefer an appeal before the Appellate Authority as provided in Section 19 of the Right to Information Act, 2005 within 30 days from the date of receipt of this letter. The details of the Appellate Authority are as under:

Name : Dr. Deepak Sharma  
Designation : Joint Commissioner of Customs  
Appellate Authority (General)  
Postal Address : 1st Floor, New Custom House,  
Mumbai -400 001

o/c

14/11/2018

(VIVEKANAND RAI)  
Central Public information Officer,  
Dy. Commissioner of Customs,  
RTI Cell (General)

Copy to:

The Joint Commissioner of Customs.  
Appellate Authority (General),  
1st Floor, New Custom House, Ballard Estate, Mumbai-400 001

14 NOV 2018