

Vide my letter dt 19.05.2020, as per the provisions of Office Memorandum No 57/04/2019-P&PW(B) dt 17.02.2020 issued by the Department of Pension and PW, Government of India regarding coverage under Central Civil Services (Pension) Rules, 1972 in place of the National Pension Scheme in respect of those Central Government employees whose selection for appointment was finalized before 01.01.2004 but who joined Government service on or after 01.01.2004, **I had exercised my one time option and requested your good self to place me in the CCS (Pension) Rules, 1972.**

In pursuance of Office Memorandum No 57/04/2019-P&PW(B) dt 25.06.2020 issued by the Department of Pension and PW, Government of India on the subject mentioned above, my application had been forwarded to the department which I had joined initially on 14.05.2004, vide letter F.No. S/5-99/2020-Prev (P&E) dt 03.08.2020 by the Deputy Commissioner of Customs, P&E, NCH, Mumbai.

Sanction of the appointing authority for providing the benefits of Old Pension Scheme has been intimated letter No A/36829/CAO/A-6(A) dt 26.10.2020 and dt 30.09.2020.

As per Para 8 of the Office Memorandum No 57/04/2019-P&PW(B) dt 17.02.2020, my NPS account was to be closed by 01.11.2020 and GPF was to be subscribed. However, above actions have not been taken by the Department. I have given following reminders through emails and physical letters: -

Email dt 3.11.2020

Letter dt 1.12.2020

Please furnish the following information: -

- a) What action has been taken on my letter dt 19.05.2020, email dt 3.11.2020 and letter dt 1.12.2020, please provide copies of the relevant notesheets and correspondence made (issued and received) in this regard;
- b) What are the queries raised by the dealing officials;
- c) Pl provide copy of the relevant notesheets in r/o (b) above;
- d) As the NPS account was to be closed by 01.11.2020, was the matter presented before the competent authority, i.e. the Commissioner of Customs (G) for taking a decision by that date i.e. 01.11.2020;
- (e) In not, then reasons thereof;
- (f) Has the file been presented to the competent authority till the date of filing of this RTI application;

(g) If not, then reasons thereof;

(h) Apart from the order dt 30.09.2020 issued by the department which I had first joined, is there any other requirement to be met as per the DoP&T OM dt 17.02.20 and 25.06.20; please provide documentary evidences for those requirements;

(i) If information with respect to (h) above is in the negative, please provide a copy of the documentary evidences on the basis of which the order has not been implemented w.r.t. placing the applicant in the CCS (Pension) Rules, 1972;

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)			
Registration Number (पंजीकरण संख्या) :	CCUM1/R/E/21/00012	Date of Receipt (प्राप्ति की तारीख) :	18/01/2021
Type of Receipt (रसीद का प्रकार) :	Online Receipt	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	Amit Singla	Gender (लिंग) :	Male
Address (पता) :	A 5, bld no 1, 2nd floor, CGS colony, , Opp rly stn, Bhandup East, Mumbai, Pin:400042		
State (राज्य) :	Maharashtra	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-8976876312	Mobile Number (मोबाईल नंबर) :	+91-8976876312
Email-ID (ईमेल-आईडी) :	amitsingla05@gmail.com		
Status (स्थिति)(Rural/Urban) :	Urban	Education Status :	
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Citizenship Status (नागरिकता)	Indian
Amount Paid (राशि का भुगतान) :	10) (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) :	Shri Rajesh Munde (General)
Information Sought (जानकारी मांगी):	Pl see the attached file		
<div> <input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/> </div>			

प्रधान आयुक्त सीमा शुल्क (सागान्य) का कार्यालय
OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL)
सूचना का अधिकार कक्ष, नयीन सीमा शुल्क भवन, बेलार्ड स्टेट,
RIGHT TO INFORMATION CELL, NEW CUSTOM HOUSE,
BALLARD ESTATE, मुंबई/MUMBAI - 400 001
Email Id: rtighch-mumbai@gov.in

दिनांक/Date: 16/02/2021

प्रति/To

Shri. Amit Singla
A 5, Bld No 1, 2nd floor, CGS Colony,
Opp Rly Stn, Bhandup East, Mumbai,
Pin:400042

विषय: आर टी आई अधिनियम 2005 के अन्तर्गत सूचना प्राप्त करने हेतु आवेदन ।

Please refer to your online RTI Registration No. CCUM1/R/E/21/00012 dated 18/01/2021, received in this office on 20/01/2021, seeking information under Right to Information Act, 2005.

With regard to the information sought by the above referred RTI, reply been received from P&E(Prev) Section, Mumbai Customs Zone-I, NCH vide letter F.NO. S/5-21/2016 P&E(PREV) Pt.VII and is as under:

Point a, b, c, d, h & i - The file is under process, hence no information as sought is available presently.

Point e & g - It does not come under the definition of Information given under section 2(f) of RTI Act 2005. Section 2(f) was elaborated in the decision of the Hon'ble Bombay High Court vide order dated 03.04.2008 in the case of Dr. Celsa Pinto, Ex-Officio Joint ... vs The Goa State. Information as below:

"Information means any material in any form, including records, documents, memos e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force; The definition of information cannot include within its fold answers to the question "why" which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."

In this regard, please also refer to DOPT OM No. 1/7/2009-IR dt. 20/05/2011.

यदि आप प्रदान की गई जानकारी से संतुष्ट नहीं हैं, तो आप इस पत्र की प्राप्ति की तिथि से 30 दिनों के भीतर सूचना अधिकार अधिनियम, 2005 की धारा 19 में दिए गए अपील प्राधिकारी के समक्ष अपील कर सकते हैं। अपीलीय प्राधिकारी का विवरण निम्नानुसार है:

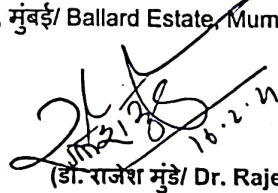
If you are not satisfied with the information provided, you can prefer an appeal before the Appellate Authority as provided in Section 19 of the Right to Information Act, 2005 within 30 days from the date of receipt of this letter. The details of the Appellate Authority are as under:

नाम /Name

: विजय जा. मानवटकर/Vijay J. Manvatkar

पदनाम /Designation : अपर आयुक्त/Addl. Commissioner of Customs
अपीलीय प्राधिकारी (सामान्य) /Appellate Authority (General)

डाक का पता /Postal Address : तीसरी मंजिल, नवीन सीमा शुल्क भवन/3rd Floor, New Custom House,
बैलार्ड एस्टेट, मुंबई/ Ballard Estate, Mumbai - 400 001



(डॉ. राजेश मुंडे/ Dr. Rajesh Munde)

केंद्रीय जन सूचना अधिकारी/CPIO,

उप आयुक्त सीमा शुल्क/Deputy Commissioner of Customs

सू. का अधि. कक्ष (सामान्य)/RTI Cell (General)

प्रतिलिपि/Copy to:

अपर आयुक्त/ Addl. Commissioner of Customs,
अपीलीय प्राधिकारी (सामान्य), Appellate Authority (General),
तीसरी मंजिल, नवीन सीमा शुल्क भवन, बैलार्ड एस्टेट, मुंबई-400 001
3rd Floor, New Custom House, Ballard Estate, Mumbai-400001