

894432/2021/Tech-O/o Commr-Cus-Exp-Zone-I-Mumbai

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) :	CCUMI/R/E/21/00076	Date of Receipt (प्राप्ति की तारीख) :	05/06/2021
Type of Receipt (रसीद का प्रकार) :	Online Receipt	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	Umesh Soni	Gender (लिंग) :	Male
Address (पता) :	A-403, Anmol Residency IV, Shahibaug, Ahmedabad, Pin:380004		
State (राज्य) :	Gujarat	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाइल नंबर) :	Details not provided
Email-ID (ईमेल-आईडी) :	Soni.umesh1984@protonmail.com		
Status (स्थिति) (Rural/Urban) :	Urban	Education Status :	Graduate
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 Jiji Jacob (Export)
<p>Respected Sir,</p> <p>Kindly provide me the following information under RTI Act.</p> <p>1) Whether is it possible to export/re-export the imported sensitive goods (ie. Whiskey, Beers, Cigarettes, Juices etc.) from Customs Special Bonded Warehouse Licensed Under Section 58 A of the Customs Act, 1962?</p> <p>Because goods can be re-exported from Customs Bonded Warehouses under Section 69 of the Customs Act, 1962.</p> <p>2) If it is possible to export/re-export the imported goods, then kindly provide the details/procedure to export/re-export from Customs Special Bonded Warehouse (licensed under Section 58A of Customs Act 1962) to any foreign country.</p> <p>3) Whether is it possible to transfer/move sensitive goods (i.e. Whiskey, Beers, Fruit Juices etc.) from Customs Special Bonded Warehouse (licensed Section 58 A of Customs Act 1962) to Customs Public bonded warehouse licensed under Section 57 because according to FAQs on Customs Bonded Warehouses sensitive goods can be kept in Public Bonded warehouses for a period of time.</p> <p>kindly provide the above information at earliest.</p> <p>Thanking You</p> <p>Vivek Meena</p>			



आयुक्त सीमाशुल्क (निर्यात) का कार्यालय
OFFICE OF THE COMMISSIONER OF CUSTOMS (EXPORT),

आरटीआई सेल, नवीन सीमाशुल्क भवन, बेलार्ड एस्टेट, मुंबई-1
RTI CELL, NEW CUSTOM HOUSE, BALLARD ESTATE, MUMBAI-1.

Email id: rticellexportnch@gmail.com

To,

Shri. Umesh Soni
A-403, Anmol Residency IV,
Shahibaug, Ahmedabad,
PIN-380004.

#ApprovedDate
29.06.2021

} Issued by Speed
post on 30/06/2021
EM 9118160501N

Sub: Application filed by Shri Umesh Soni, seeking information under Right to Information Act, 2005 – reg.

An RTI application dated 05.06.2021 has been filed by Shri. Umesh Soni, A-403, Anmol Residency IV, Shahibaug, Ahmedabad, seeking information under Section 6 of the Right to Information Act, 2005. bearing registered No. CCUM1/R/E/21/00050/1 dated 16.06.2021 has been received in this office portal on 20.06.2021

The point wise information asked by the applicant is as under:-

1. Whether is it possible to export/re-export the imported sensitive goods (ie. Whiskey, Beer, Cigarettes, Juices etc.) from Customs special Bonded Warehouse License under Section 58 A of the Customs Act, 1967?

Because goods can be re-exported from Customs Banded Warehouse under Section 69 of the Customs Act, 1962.

2. If it is possible to export/re-export the imported goods, then kindly provided the details/procedure to export/re-export from Customs Special Bonded Warehouse (licensed under Section 58 A of Customs Act, 1962) to any foreign country.

3. Whether is it possible to transfer/move sensitive goods (i. e. Whiskey, Beer, Cigarettes, Juices etc.) from Customs Special Bonded Warehouse (licensed under Section 58 A of Customs Act, 1962) to Customs Public bonded warehouse licensed under Section 57 because according to FAQs on Customs Bonded Warehouses sensitive goods can be kept

in Public Bonded Warehouses for a period of limit.

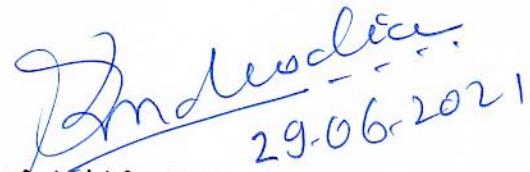
In this regard, it is to state that the information sought in the RTI application are in the nature of opinion, advice and it appears that the same do not qualify as " information" as defined under Section 2(f) of Right to Information Act, 2005.

Further, the Hon'ble Supreme Court in Central Board of Secondary Education & Anr Vs Aditya Bandopadhyay & Ors. Held that, 'A' Public authority is " not required to provide 'advice' or 'opinion' to an applicant. The reference to 'opinion' or 'advice' or the definition of 'information' in section 2(f) of the Act, only refer to such material available in the records of the public authority. Therefore, information sought cannot be provided.

In case, if you are not satisfied with the information provided, you may prefer an appeal before the First Appellate Authority in terms of Section 19 of the Right to Information Act, 2005 within 30 days from the date of receipt of this order. The details of the Appellate Authority are as under.

SMT. ARJIT SAGAR

The First Appellate Authority,
Joint Commissioner of Customs (Export),
1ST Floor, Old Building, New Custom House,
Mumbai – 400001


29.06.2021
(डॉ. के.इंद्रोडीया/ D.K.Indrodiya)
केंद्रीय जन सूचना अधिकारी/CPIO,
आयुक्त सीमा शुल्क/Asstt Commissioner of Customs
सू. का अधि. कक्ष (निर्यात)/RTI Cell (Export)

Copy to –

The First Appellate Authority,
Joint Commissioner of Customs (Export),
1ST Floor, Old Building, New Custom House,
Mumbai – 400001.