



प्रधान सीमा शुल्क आयुक्त (सामान्य) कार्यालय

OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL)

नवीन सीमा शुल्क भवन, बलार्ड इस्टेट,

NEW CUSTOM HOUSE, BALLARD ESTATE,

मुंबई/MUMBAI- 400 001

[टेली फोन न/ .Tel. No. (022) 22634330 फ़ैक्स न/Fax No (022)22757416]

फा सं : GEN/RTI/APL/6/2025-RTI-O/o PR COMMR-CUS-GEN-ZONE-I-Mumbai

आदेश तिथि : .02.2025

जारी करने की तिथि : .02.2025

आदेश संख्या 13/2024-25

द्वारा पारित : अरविंद घुगे Arvind Ghuge

उपयुक्त सीमाशुल्क आयुक्त

सूचना का अधिकार अधिनियम के प्रथम अपीलीय प्राधिकारी

प्रधान सीमा शुल्क आयुक्त (सामान्य) का कार्यालय

नवीन सीमा शुल्क भवन,

बेलाड इस्टेट, मुंबई- 400 001

-----प्रस्तावना-----

- 1) यह प्रति उस व्यक्ति के प्रयोग के लिए निःशुल्क है जिसके लिए यह पारित किया गया है ।

- 2) सूचना का अधिकार अधिनियम 2005 19 (3) की धाराके तहत इस आदेश के विरुद्ध अपील, आदेश पारित करने की अंतिम तिथि या आदेश प्राप्ति की तिथि से 90 दिनों के भीतर, केन्द्रीय सूचना आयोग, नई दिल्ली में की जा सकती है।
- 3) इस आदेश में प्रस्तावना सहित कुल 04 पृष्ठ सम्मिलित हैं।

Subject: - Appeal filed by Shri Sandeep Kumar Yadav Reg. No. CCUM1/A/E/25/0001 dated 31.01.2025 under Section 19(1) of the Right to Information Act, 2005 against CPIO's reply dated 29.01.2025 issued vide F. No. GEN/RTI/658/2024-DC/AC-VII - O/o PR COMMR-CUS-GEN-ZONE-I-Mumbai.

BRIEF FACTS OF THE CASE

This is an order passed in the case of an Appeal Reg. No. CCUM1/A/E/25/0001 dated 31.01.2025 (received in this Section on 03.02.2025) filed by Shri Sandeep Kumar Yadav (herein referred to as the Appellant) against the order dated 29.01.2025 of the Central Public Information Officer's issued vide F. No. GEN/RTI/658/2024-DC/AC-VII O/o PR. COMMR-CUS-GEN-ZONE -I-Mumbai.

2. Brief facts of the case are that the Appellant residing at B-704 Lloyds Estate, Near V.I.T. College Wadala EA, Mumbai, Pin: 400037 had sought following information under the Right to information Act, 2005 vide his RTI application No. CCUM1/R/E/24/00179 dated 30.12.2024, in brief the same is reproduced as under:

i). Please provide the details of Appointing Authority for the post of Superintendent (Preventive).

ii). Please provide the copy of order for designating an officer of CBIC as Appointing Authority for Superintendent (Preventive).

3. In response, the Central Public Information Officer/RTI (General Commissionerate), New Custom House, Mumbai sought reply from concerned

section, i.e. Personal & Establishment (Preventive) Section, New Custom House, Mumbai. Accordingly, on the basis of information received from concerned Section, the point wise reply was forwarded to the applicant vide letter F. No. GEN/RTI/658/2024-DC/AC-VII O/o PR. COMMR-CUS-GEN-ZONE -I Mumbai dated 29.01.2025 is as follows:

Point No. 1. Please refer Recruitments Rules, 2019 Gazette of India vide GSR No. 340 dated 13.11.2019.

Point No. 2. Please refer Recruitments Rules, 2019 Gazette of India vide GSR No. 340 dated 13.11.2019

GROUND OF APPEAL

4. "Provided Incomplete, Misleading or False Information."

5. In pursuance of appeal Reg. No. CCUM1/A/E/25/0001 dated 31.01.2025 in the subject case, Para wise Comments were sought from the Personal & Establishment (Preventive) Section, New Custom House, Mumbai which is as under:

5.1 The Chief Commissioner of Customs is the Appointing Authority of Superintendent of Customs (Preventive). Also provided a letter dated 16.01.2003 issued vide F. No. A-11013/04/2022-Ad-IV.

PERSONAL HEARING

6. The personal hearing was granted to the appellant which was scheduled on 10.02.2025 at 11.30 AM, but the appellant failed to attend the personal hearing. In the interest of natural justice, a second opportunity was granted to the appellant and the personal hearing was re-scheduled for 14.02.2025 at 11:00 AM. The appellant appeared at this rescheduled hearing and requested to provide the information and copies of documents as sought in his RTI application and appeal.

DISCUSSION AND FINDINGS

7. I have gone through the RTI application No. CCUM1/R/E/24/00179 dated 30.12.2024, CPIO's reply dated 29.01.2025, appeal filed by the Appellant Reg. No. CCUM1/A/E/25/0001 dated 31.01.2025 (received in this Section on 03.02.2025), and para wise comments dated 19.02.2025 received from concerned section and discovered the following:

7.1 That the Appellant vide RTI application No. CCUM1/R/E/24/00179 dated 30.12.2024 sought the information as mentioned in para 2 above.

7.2 That the CPIO vide letter F. No. GEN/RTI/658/2024-DC/AC-VII O/o PR. COMMR-CUS-GEN-ZONE -I Mumbai dated 29.01.2025 informed to the Appellant as mentioned in para 3 above.

7.3 That aggrieved by the said CPIO letter, the Appellant filed the subject appeal on the ground that the information provided to him is incomplete, misleading or false information as mentioned in para 4 above.

7.4 Upon review of the relevant documents, I find that the Chief Commissioner of Customs is the Appointing Authority for the Superintendent of Customs (P).

7.5 In view of the above findings, I find that the information provided to the Appellant appears to be incomplete as the name of the Appointing Authority is not mentioned in the Recruitments Rules, 2019 Gazette of India vide GSR No. 340 dated 13.11.2019.

ORDER

8. In view of above discussion and findings, I pass the following order, as per the provisions of the RTI ACT, 2005.

8.1 The CPIO is directed to provide the complete information to the appellant as requested in his RTI application.

8.2 The appeal is disposed of accordingly.


28.02.25
(Arvind Ghuge)

First Appellate Authority
Addl. Commissioner of Customs (G)
New Custom House, Mumbai.

Copy to: -

**Shri Sandeep Kumar Yadav,
B-704 Lloyds Estate, Near V.I.T. College,
Wadala EA, Mumbai, Pin: 400037.**