

Central Information Commission

**Appeal No. 62 /IC(A)/2006
F.No.CIC/MA/A/2006/00137**

Dated, the 14th June, 2006

Name of the Appellant : Shri Jitender Kumar Aggarwal, 7/4, B.D. Estate,
Timarpur, Delhi-110054.

Name of the Public Authority : Central Board of Excise and Customs, Department
of Revenue, Ministry of Finance, North Block,
New Delhi.

DECISION

1. Information sought by the appellant has been provided by the CPIO. But, there is either difference of opinion between information seeker and provider or interpretation of a policy notification by them, which has led to filing an appeal before the Commission.

The appellant has sought the following information:

- (a) *Kindly inform as to the precise reasons for the Government to issue Notification No. 3/91-CE (NT) u/s 11-C of the Central Excise and Salt Act, 1994.*
- (b) *Kindly intimate the total amount of excise duty estimated to be involved in the issue of notification No. 3/91-CE (NT) dated 30.1.1991.*
- (c) *Also kindly provide manufacturer-wise break up of the total duty involved i.e. name of each of the manufacturers of copper wire rods and the amount of duty involved in each case.*
- (d) *Kindly provide a copy of the Explanatory Memorandum submitted while Notification No. 3/91-CE (NT) dated 30.1.1991 was laid on the Table of Lok Sabha.*
- (e) *Kindly provide names of all the manufacturers of copper wire rods (that are available on record in the relevant file) against whom show cause notices had been issued and who were intended to benefit by the issue of notification No. 3/91-CE (NT) dated 30.1.1991 issued under Section 11-C of the Central Excise and Salt Act, 1944, while the proposal for the issue of the said notification was submitted for approval of the Finance Minister.*

2. The CPIO has already given a detailed response with respect to each of the item above.

3. The appellant was however not satisfied with the response of the CPIO, especially with respect to the beneficiaries of the notification, as mentioned under (e) above.
4. The case was heard on June 13, 2006. The appellant, along with his another colleague, was present in person. The CPIO and the appellate authority of the respondent were also present.
5. The respondents further said they had no objection to disclosing the material wanted by the appellant against item (e) but it should be clearly understood that the show cause notices were not issued to 'intended beneficiaries', but were general in nature.
6. The Commission appreciated the concerns of the respondents and asked them to make available the relevant records for inspection to the appellant.
7. The appeal is accordingly disposed of.

Sd/-
(O.P. Kejariwal)
Information Commissioner

Sd/-
(M.M. Ansari)
Information Commissioner

Authenticated true copy :

(L.C. Singhi)
Additional Registrar

Cc:

- (1) Shri Jitender Kumar Aggarwal, 7/4, B.D. Estate, Timarpur, Delhi-110054.
- (2) Shri Ram Tirath, Commissioner (PAC) & First Appellate Authority, Central Board of Excise and Customs, Department of Revenue, Ministry of Finance, North Block, New Delhi.
- (3) Shri Abhai Kumar Srivastav, Deputy Secretary (CX.4) & CVIO, Central Board of Excise and Customs, Department of Revenue, Ministry of Finance, North Block, New Delhi.