

	आयुक्त का कार्यालय, सीमा शुल्क कांडला OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS, न्यू कस्टम हाउस, कांडला - ३७०२१० NEW CUSTOM HOUSE, KANDLA-370 210 दूरभाष संख्या - ०२८३६- २७१४६८/४६९, फैक्स संख्या - ०२८३६-२७१४६७ Phone No:02836-271468/469, Fax No.02836-271467	Date :-06- 10- 2026 RTI

Appeal Order No. 03/2026-27

RTI Application No.: CCCGZ/R/E/26/00058 dated 30.07.2026

RTI Appeal No. CCCGZ/A/E/26/00017 dated 08.08.2026

1	Date of RTI Application	30.07.2026
2	Name of the Applicant	Shri Ansari, Kurla Mumbai, PIN 400070
2	Date of RTI Application received by CPIO	30.07.2026
3	Date of Reply by CPIO	06.08.2026
4	Name of CPIO	Shri Manish Rajnikant Bhatt
5	Date of First Appeal Application	08.08.2026
6	Date of Receipt of Appeal Application at First Appellate Authority Office	08.08.2026

Brief Facts of the Case:

1. Shri Ansari, Kurla Mumbai, PIN 400070 (*here-in-after also referred as "The applicant"*) had filed RTI Application under RTI Act 2005, having application No. CCCGZ/R/E/26/00058 dated 02.07.2026. In the said RTI application, the applicant sought following information mentioned below:-

"This application relates to records maintained by the Office of the Commissioner of Customs Kandla in respect of Order in Original No. KDL ADC AK 14 2020 21 dated 03.02.2021 bearing DIN20210271ML00000585AF. If the requested information is held by another CPIO kindly transfer this application under Section 6(3) of the Right to Information Act 2005. Kindly provide the following information as available in the official records.

- 1. Kindly provide copies of all communications orders or intimations received by your office from CESTAT High Court Supreme Court or any other appellate authority relating to Order in Original No KDL ADC AK14 2020 21 dated 03.02.2021 in respect of M/s. Meher Petrochem Pvt Ltd or Shri Firozbbhai Panjwani.*
- 2. Kindly inform whether your office has received any stay order against the operation implementation recovery or enforcement of the above Order in Original in respect of M s Meher Petrochem Pvt Ltd or Shri Firozbbhai Panjwani. If yes kindly provide a copy of such stay order.*
- 3. Kindly inform whether any appellate authority has modified set aside remanded or otherwise altered the above Order in Original in respect of M/s Meher Petrochem Pvt Ltd or Shri Firozbbhai Panjwani. If yes kindly provide copies of such orders.*
- 4. Kindly provide the present status of recovery of duty penalty fine redemption fine and other dues payable by M s Meher Petrochem Pvt Ltd and Shri Firozbbhai Panjwani under the above Order in Original as per the official records.*

5. Kindly inform whether any recovery proceedings initiated pursuant to the above Order in Original are presently stayed or kept in abeyance. If yes kindly provide copies of the relevant record or order.

6. If no stay order or appellate order has been received by your office in respect of M s Meher Petrochem Pvt Ltd or Shri Firozbbhai Panjwani kindly confirm the same as per the official records.

7. Kindly provide copies of the latest office records or correspondence available with your office indicating the present implementation status of the above Order in Original. A copy of Order in Original No KDL ADC AK 14 2020 21 dated 03.02.2021 bearing DIN 20210271ML00000585AF is enclosed solely for identification and facilitating retrieval of the requested records. “

2. The information sought vide aforementioned RTI Application was replied by the CPIO, Custom House Kandla as under:-

“The information sought under RTI application cannot be provided under section 8(1)(j) of the RTI Act 2005”

3. Being aggrieved by the order of CPIO, the applicant preferred an appeal dated 08.08.2026, before the First Appellate Authority, C.H. Kandla, wherein it is requested that:

“ The Appellant respectfully challenges the CPIO's rejection order on the following grounds:

*“ **One**, it is a mechanical rejection of seven distinct queries without item-wise reasons.*

***Two**, Queries 2,5 and 6 seek only a yes/no confirmation of whether this office has received any stay order or appellate communication - this is the status of the departments own file, not personal information of any individual.*

***Three**, the information concerns enforcement of the Customs Act, 1962 and recovery of Government revenue adjudicated by a quasi-judicial order; a public-accountability matter distinguishable from the personal asset/service records considered in Girish Ramchandra Deshpande v. CIC, (2013) 1 SCC 212.*

***Four**, no severability was applied under Section 10 to disclose any non-exempt portion.*

***Five**, the Order-in-Original itself records findings of illicit removal of dutiable HSD and Furnace Oil in the guise of waste oil, with confiscation and penalties running into several lakhs the status of recovery of these dues and finality of the order is a matter of legitimate public interest outweighing any residual privacy claim. ”*

4. Discussion:

4.1 I carefully gone through the RTI Application, CPIO reply and the Grounds of Appeal filed by the applicant.

4.2 I find from the original RTI application that the appellant had sought information as indicated in para 1 above.

4.3. I find that CPIO while passing order has denied the information in terms of under Section 8(1)(j) of the RTI Act, 2005. Section 8(1) of the RTI Act 2005 is reproduced below

:-

“ 8. Exemption from disclosure of information.—

(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,—

(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.”

4.4. Being aggrieved by the order of CPIO, the applicant filed an appeal on the grounds stated in his application and mentioned in Para 3 above.

4.5 Comments on the grounds of appeal were called from CPIO and in response it was stated that, *"The said RTI was transferred from the Chief Commissioner of Customs, Gujarat under Rule 6(3) of the RTI Act, 2005 and the said information was provided as per reply/ information received from the respective sections. Section 8(1)(j) exempts disclosure of personal information having no relationship to public activity or interest, or which would cause unwarranted invasion of privacy, unless larger public interest justifies disclosure. Recovery status and departmental correspondence may involve third party financial details. Disclosure of specific recovery proceedings could impede enforcement and may amount to unwarranted invasion of privacy. Hence, such information is exempt under Sections 8(1)(j) and 8(1)(h)."*

4.6 I find that the RTI appellant has primarily sought copies of orders passed by different judicial or quasi-judicial fora, or the status of further action taken pursuant to such orders. Information of this nature, particularly where the orders are already matters of public record, would ordinarily not attract the exemption under Section 8(1)(j) of the Right to Information Act, 2005. Orders of higher fora, such as the CESTAT, High Courts, or the Supreme Court, are ordinarily available on the official websites of the concerned courts, while orders of lower fora are subject to the applicable suo motu disclosure obligations under Section 4 of the RTI Act.

4.7 Accordingly, where orders of the Tribunal or higher fora are sought and such orders are already available in the public domain, the CPIO may provide the relevant case reference numbers and other necessary particulars to enable the applicant to access the same. Where an order of a lower authority has been sought, the same may be provided if it is not available on the relevant website, subject to any exemption specifically applicable to the information contained therein.

4.8 Further, with respect to the status of action taken pursuant to the concerned orders, the CPIO is required to furnish the current position to the extent that the information is not otherwise exempt under Section 8(1). At the same time, disclosure of specific information may be restricted where a statutory exemption is attracted. For instance, information may

be withheld under Section 8(1)(h) where disclosure would impede an ongoing process of investigation or apprehension or prosecution of offenders, or under Section 8(1)(j), where the statutory conditions for its application are satisfied. Sensitive details, such as specific recovery figures, internal correspondence, or other operational information, may accordingly be withheld where disclosure is otherwise exempt under the Act. However, where feasible, a general status update—such as whether recovery proceedings are stayed, pending, or concluded—should be provided, after severing exempt portions in accordance with the principle of severability under Section 10 of the Act.

5. If the appellant is not satisfied with the order/ information provided, he/she may file an appeal before Central Information Commission, CIC Bhavan, Baba Gangnath Marg, Munirka, New-Delhi-110067, within 30 days of receipt of this order.

Date: 06-10-2026

Digitally signed by
MANISH KUMAR MEENA
Date: 06-10-2026
11:13:36

(Manish Kumar Meena)
Additional Commissioner &
First Appellate Authority
Custom House, Kandla.

Copy to:

1. Shri Ansari, Kurla Mumbai, PIN 400070. Email: usedwasteoi@gmail.com
2. Shri Manish Rajnikant Bhatt (CPIO), Custom House, Kandla.
3. The Assistant Commissioner (EDI), Custom House, Kandla for uploading on website.