

**OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE-III  
CUSTOM HOUSE, OPP. OLD HIGH COURT, NAVRANGPURA,  
AHMEDABAD-380 009  
Telefax : 079 : 2754 5021**

BY SPEED POST / REGD. A.D.

- A. File Number : II/16-115/RTI/2014-15
- B. Order-in-Original No. : 115/ RTI (HQ)/AHD-III/2014
- C. Passed by : Sh. P.B. Meena,  
Central Public Information Officer,  
Deputy Commissioner (RTI),  
Central Excise (HQ),  
Ahmedabad-III.
- D. Date of Order/Issue : 11.09.2014
- E. Name & address of the applicant : Shri B.M. Gupta,  
7, Satej Appartment,  
Swastik Society B/h. St. Xaviers Ladies,  
Hostel, Navrangpura,  
Ahmedabad-380009.

1. This Order-in-Original is granted to the concerned free of charge.
2. Any person aggrieved by this Order-in-Original may file an appeal under section 19(1) of the Right to Information Act, 2005 to :  
Shri Milind Gawai, Additional Commissioner, Central Excise, 2<sup>nd</sup> floor, 'Custom House', Navrangpura, Ahmedabad – 380 009.
3. Appeal shall be filed within thirty days from the date of receipt of this order in accordance with the provisions of section 19(1) of the Right to Information Act, 2005, before the Appellate Authority.

**ORDER UNDER SECTION 7(1) OF THE RIGHT TO INFORMATION ACT, 2005.**

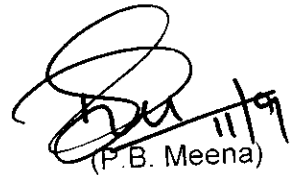
Sh. B.M. Gupta, 7, Satej Apartment, Swastik Society, B/h. St. Xaviers Ladies Hostel, Navrangpura, Ahmedabad-380009 has made an application dated 12.08.2014 addressed to the CPIO, O/O Commissioner of Central Excise, Ahmedabad-III, Gujarat which was received by this office on 28.08.2014. The applicant is seeking information are:- a) date of booking/detection of case b) name and address of assessee/firm/party c) amount of duty/tax involved d) brief description of nature of offence and contravention of law alleged e) name of person(s) arrested f) date of arrest g) details of bail (order no. and date and conditions of bail) h) no and date of departmental Adjudication Order and brief details of order i) no. and date of appellate Order and brief details of order j) No. and date of Tribunal Order and brief details of order k) no. and date of Hon'ble High Court's order and brief details of order l) no. and date of Hon'ble Supreme Court's order and brief details of order m) whether prosecution case has been filed in court (yes/no) n) if yes, date of filing prosecution case in court and case no. o) person/firm against whom prosecution case filed p) present status of prosecution case.

2. The information of Point No.7 – a) to p) are as under

- i. M/s Morakhia Metal & Alloys Pvt. Ltd.
- a) 24.02.2005.
- b) M/s Morakhia Metal & Alloys Pvt. Ltd. Chhatral
- c) Central Excise duty of Rs.29,72,150/-
- d) Wrong availment of cenvat credit, contravention of rule 3 of Cenvat Credit rules 2002.
- e) Shri Piyushbhai S Morakhia, Chairman and Managing Director of M/s Morakhia Metal & Alloys.
- f) 14/15.12.2005
- g) Bail order passed by the Additional CJM, Ahmedabad on 23.12.2005 on the condition that the accused should cooperate with the Inquiry/investigation of the case and the accused should also mark his presence before the Investigation Officer on any day between 1<sup>st</sup> to 5<sup>th</sup> of each month of the F. Year.
- h) The case is adjudicated vide OIO No.26/Addl. Commr./2008 dated 27.03.2008.
- i) The party has filed an appeal with the Hon'ble Appeal against the above said Order. The Commissioner (Appeal) vide his OIA No.36 to 38/2009(Ahd-III)CE/KCG/Commr(A) dated 09.02.2011 and rejected the appeal filed by the party.
- j) Against the above said Commissioner's (Appeal) Order the party has filed an appeal with the Hon'ble Tribunal. The matter is still pending.
- k) to p) - Not applicable.
  
- ii) M/ Jillichem (I) Lab Ltd. Thaltej
- a) 17.10.2006.
- b) M/s jillichem (I) Lab Ltd., Thaltej
- c) Central Excise duty of Rs.1,08,47,184/-
- d) Illicit clearance of goods, Contravention of Rule 4,10,11 of Central Excise Rules 2002.
- e) Shri Ramanlal C. Shah, Chairman cum Managing Director of M/s Jillichem (I) Lab Ltd., Thaltej.
- f) 09.04.2007
- g) Bail Order passed by the Additional City Session Judge Ahmedabad on 09.05.2007 on the condition that the accused shall get his presence marked on every 5<sup>th</sup> of the English calendar month in the concerned police station till chargesheet is filed.
- h) Party has approached to the Settlement Commission.

- i) to p) – Not applicable
- iii) M/s Shukan Silver Corporation, Gandhinagar
- a) 05/06-10-2013.
- b) M/s Shukan Silver Corporation, 318, 3<sup>rd</sup> floor Shukan Mall, Near Visat Petrol pump, Gandhinagar – Koba Road, Gandhinagar.
- c) Service Tax of Rs.1.60 crore.
- d) M/s Shukan Silver Corporation had collected service tax in excess of Rs.50 lacs but the same was not deposited to the Government Account or more than six months.
- e) (1) Shri Jitendar Somabhai Patel and (2) Shri Pursottambhai Venidas Patel, partners of M/s Shukan Silver Corporation.
- f) 17.10.2013
- g) Bail order passed by the Additional Chief Metropolitan Magistrate on 22.10.2013. Conditions are enclosed herewith.
- h) SCN not yet issued.
- i) to p) - Not applicable

3. If the applicant is aggrieved with the information supplied, an appeal against this decision may be preferred in terms of Section 19(1) of the Right to Information Act, 2005 to Shri Milind Gawai, Appellate Authority, Additional Commissioner, Central Excise, 2<sup>nd</sup> Floor, Customs House, Navrangpura, Ahmedabad within a period of 30 days from the receipt of the order.

  
(P.B. Meena)

Central Public Information Officer

BY SPEED POST/REGD POST AD

To

Shri B.M. Gupta,  
7, Satej Appartment,  
Swastik Society B/h. St. Xaviers Ladies,  
Hostel, Navrangpura,  
Ahmedabad-380009.

Copy to: i) Deputy Commissioner (CPIO), The Chief Commissioner Office w.r.t. his letter F.No.V/RTI/Misc-61/CCO/2014-15 dated 22.08.2014.

✓ ii) The Superintendent, System Section, Central Excise Ahmedabad-III – for uploading on Commissionerate Website.