

Fax : 011-23748024
E-mail : eic@eicindia.gov.in
Web : www.eicindia.gov.in
ग्राम : निर्यातगुण
Grams : SHIPMENTQUALITY
दूरभाष : 23365540, 23341263, 23748189
Phone :



भारतीय निर्यात निरीक्षण परिषद्

(आई एस ओ 9001:2008 प्रमाणित संस्थान)
(वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार)
तीसरी मंजिल, एन.डी.वाई.एम.सी.ए. कल्चरल सेंटर बिल्डिंग)
1 जय सिंह रोड, नई दिल्ली-110 001

EXPORT INSPECTION COUNCIL OF INDIA

(An ISO 9001:2008 Certified Organisation)
(Ministry of Commerce & Industry, Govt. of India)
3rd Floor, NDYMCA Cultural Centre Building,
1 Jai Singh Road, New Delhi - 110001

सं.निनिप/डी (क्यू/सी) 145 / CIC / 900044 / 2013 / 1013
No. EIC/D (Q/C)

दिनांक : 13 May 2013
Dated :

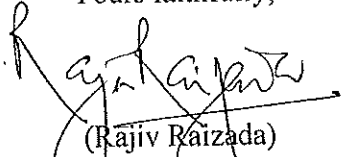
To,
Mrs. Syeda Mursheda Haque,
12/A, Sir Syed Ahmed Road,
P.O. Intally,
Kolkata – 700 014.

Subject: Case No. CIC/SS/A/2013/900044 – Order dated 25.04.2013 of the Information Commissioner – reg.

Sir,

With reference to the above, please find enclosed a copy of Order no. EIC / D (Q/C) / 145 / CIC / 003141 / 2012 dated 21.03.2013 for your information & records.

Yours faithfully,


(Rajiv Raizada)
Additional Director &
Appellate Authority

Encl.: As above.

Copy to:

1. Ms. Sushma Singh, Information Commissioner, Central Information Commission, Room No. 5, Club Building, Near Post Office, Old JNU Campus, New Delhi – 110067 this refers to the order passed in case no. CIC/SS/A/2013/900044 dated 25.04.2013 received in this office on 10.05.2013.
2. Shri Parmod Siwach, AD (T) & CPIO, EIC.
- ✓ 3. Shri Rajesh Ranjan, AD (T) – for uploading on the website
4. Hindi Cell – for translation.

Re-16/5/13

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स.नि.प/डी (क्यू/सी) 145 / CIC / 0003141 / 2012 / १२०९ ६९९३
No. EIC/D (Q/C)

दिनांक : 21 March 2013
Dated :

ORDER

Subject: Appeal made by Mrs. Syeda Mursheda Haque under Section 19 (1) of the Right to Information Act, 2005.

Vide her letter-dated 27.08.2012, Mrs. Syeda Mursheda Haque has made an appeal under Section 19 (1) of the Right to Information Act, 2005 against letter dated 06.07.2012 of CPIO, EIC in relation to information sought by her vide application dated 02.07.2012.

Vide her application dated 02.07.2012 had requested for "copy of the rules under which gratuity and other retirement benefits of her husband Shri Md. Zia-ul-Haque, ex Assistant Director, EIA - Kolkata have been stopped". In response, the CPIO, EIC vide his letter dated 06.07.2012 had informed Mrs. Haque that retirement benefits were withheld in terms of Rule 69 of CCS (Pension) Rules. A copy of the rule quoted was also provided to the applicant. Smt. Haque has filed the present appeal claiming that the RTI application was filed only after conclusion of the departmental proceedings. Mrs. Haque has raised further questions as to why gratuity, leave encashment and commutation of pension have still not been paid and vide e-mail dated 07.03.2013 she has requested that in case it is desired to hear the parties, the hearing may be held at Kolkata or through video conference or travelling allowance may be granted to her representative to travel to Delhi.

Now in compliance to CIC order (case no. CIC/SS/A/2012/003141), I have gone through the case papers and observe that (i) vide her application dated 02.07.2012, the applicant had requested for a copy of rules under which gratuity and other retirement benefits of her husband have been stopped; (ii) CPIO had provided her a copy of relevant page containing Rule 69 of CCS (Pension) Rules; (iii) as per the office where her husband was employed before retirement, besides pension of Rs. 15,985/- pm (basic), an amount of Rs. 40,31,783/- + Rs. 5,000/- was paid to her husband towards GPF & CGEIS; (iv) CPIO is required to provide information as available in the records and is not required to respond to "how" and "why" and (v) the need to hear the parties in person is not felt.

As there is no denial of information, the appeal made by Mrs. Syeda Mursheda Haque stands disposed of. She has raised some additional queries which are not a part of the original application dated 02.07.2012. Though such additional queries need not be answered, however, in the spirit of RTI, Mrs. Haque is hereby informed that in case of departmental proceedings, certain dues can be withheld until the conclusion of the departmental / judicial proceedings and issue of final orders thereon.

Rajiv Raizada
X (Rajiv Raizada)
Additional Director &
Appellate Authority

Mrs. Syeda Mursheda Haque,
12/A, Sir Syed Ahmed Road, P.O. Intally, Kolkata - 700 014.

Copy to:

1. Ms. Sushma Singh, Information Commissioner, Central Information Commission, Room No. 5, Club Building, Near Post Office, Old JNU Campus, New Delhi - 110067 this refers to the order passed in case no. CIC/SS/A/2012/003141 dated 15.02.2013 received in this office on 06.03.2013.
2. Shri Parmod Siwach, AD (T) & CPIO, EIC.
3. Shri Rajesh Ranjan, AD (T) - for uploading on the website
4. Hindi Cell - for translation.