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## 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)

No. EIC/D (Q/C)

/ 145 (59) / 2013 - 14 / 6523

दिनांक :

Dated :

20 November 2013

#### ORDER

**Subject: Appeal made by Shri Sabyasachi Banerjee under Section 19 (1) of the Right to Information Act, 2005**

Shri Sabyasachi Banerjee vide his letter dated 27.08.2013 (received by EIA - Kolkata on 29.08.2013) has made an appeal under Section 19 (1) of the Right to Information Act, 2005 against CPIO, EIC for not providing complete information in spite of the Order passed by the CIC in case number CIC / SS / A / 2012 / 003482 on 24.07.2013.

Information sought by Shri Banerjee vide his application-dated 16.05.2012 and supplied by CPIO, EIC vide letter dated 26.07.2013 was as under:


Sl.	Information sought	Reply of CPIO
1	The transfer policy which is being followed for the Staff/Officers of EIC/EIAs since 1980.	A copy of transfer policy / guidelines is enclosed.
2	Is there any precedence in the case of Inter Region transfer in the same Capacity in the post of Section Officer/Asstt. Director (Admn) who transferred from Home Town to far away to other region whose service was remained for 13 months to retire? The name of the officers & reason there of.	It would require screening of all transfer orders vis-a-vis situation prescribed by applicant and no such information is readily available.
3	Under what Circumstances compelled to EIC Authority to transfer Shri Sabyasachi Banerjee, Section Officer from EIA-Kolkata to EIA-Mumbai directing to relieve him on the same day on 30 <sup>th</sup> March 2011, even his appeal on the ground of his frail health due to a major Operation took place just 7/8 months before was denied. All the Correspondences in this regards of internal note from the level of EIA-Kolkata upto the Director (I&Q/C).	Copies of transfer order dated 30.03.2011 & relieving order dated 30.11.2011 from EIA-Kolkata are enclosed however note sheet related to this transfer order is not traceable in the records. Further, copy of note portion and EIC's letter dated 19.04.2011 in reference to applicant's request dated 31.03.2011 for reconsideration of transfer order enclosed. From these documents it is observed that applicant's transfer from Kolkata to Mumbai was done due to administrative exigency as no Section Officer was there at EIA-Mumbai.
4	Was there any complain was made by the Authority of EIA-Kolkata, if so, that was the	No complaint from EIA-Kolkata is available on records in the matter and

“यदि आप अपना पत्र हिन्दी में लिखेंगे तो उतनी ही जल्दी जवाब मिलेगा, जितना कि अंग्रेजी में लिखने में मिलता है।”

Sl.	Information sought	Reply of CPIO
	<p>complain &amp; who had made the complain, the copy of which may please be attested and furnish.</p> <p>Or otherwise was where any opinion /views obtained from the In-charge of EIA-Kolkata while transferring Shri Banerjee from EIA-Kolkata to EIA-Mumbai, if so, the details of opinion / views of EIA-Kolkata. Please be furnished.</p>	<p>no records available on opinion / views from EIA-Kolkata for transferring Shri Banerjee from EIA-Kolkata to EIA-Mumbai.</p>

In the present appeal, Shri Banerjee has requested that the CPIO be directed to locate the file noting relating to his transfer (point number 3 of his application) and provide a copy of the same to him.

I have gone through the appeal and observe that CPIO can only provide information available on record. Since the available information has been furnished to Shri Banerjee, the appeal filed by him stands disposed of without further instructions to the CPIO.

  
 (Rajiv Raizada)  
 Additional Director &  
 Appellate Authority

**Shri Sabyasachi Banerjee,**  
 Flat No. D, 3<sup>rd</sup> Floor, Sagar Appartment,  
 Jyagra, Rabindra Pally, Baguiati, Kolkata – 700059

Copy to:

1. Shri Parmod Siwach, AD (T), the then CPIO, EIC.
2. Shri Kannan Kasturi NS, DD (NT) & CPIO, EIC.
3. Ms. Sushma Singh, Information Commissioner, Central Information Commission, Room No. 305, 2<sup>nd</sup> Floor, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi – 110 066.
- ✓ 4. Shri Rajesh Ranjan, AD (T), EIC .... for uploading on the website.
5. Hindi Cell – for translation.