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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 (57-58-61) / RTI / 2012 - 13 / 7345

दिनांक :

Dated :

18 December 2012

ORDER

Subject: Appeal made by Shri B. C. Saxena under Section 19 (1) of the Right to Information Act, 2005.

Shri B. C. Saxena vide his letter dated 25.05.2012 has made an appeal under Section 19 (1) of the Right to Information Act, 2005 against letter dated 16/17.05.2012 of CPIO, EIA – Delhi for not providing information requested by him vide his application dated 23.04.2012 (animal casing).

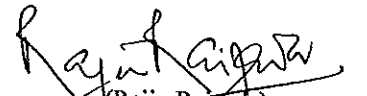
Vide his letter-dated 23.04.2012, Shri Saxena had requested for 10 information in respect of 'Animal Casing' scheme, as GS (General Secretary) of 'Delhi Region Export Inspection Employees' Association'. The letter head also claimed that the said association was recognised by the Export Inspection Council.

In response, vide letter-dated 16/17.05.2012, Shri Saxena was informed by the CPIO, EIA – Delhi that there was no such recognised association; that he was misrepresenting himself and as such, he was not eligible to receive the information.

The issue has been examined in light of the relevant laws and it is observed that Section 6 of the RTI Act deals with "request for obtaining information" and the expression "person" therein is referable to "citizen" in Section 3 of the said act. Thus it is clear that a citizen is entitled to seek information under the Act. Therefore there can be no objection to any citizen seeking information as per law. However, if someone under the garb of seeking information tries to perpetuate an illegality viz pseudo status of oneself or of the organization he perpetrates to represent, the same is not permissible under the law as law neither permits nor admits of any mischief sought to be played by any one with ulterior motive of staking his claim on that basis later on.

Since Shri B. C. Saxena has not sought the information in a straight forward manner as a citizen, as per law and is rather seeking information under a pseudonym, which is not permissible under the law (RTI Act) and is also likely to be taken undue advantage of to perpetuate the wrong, I do not find any reason to issue any further instructions to CPIO, EIA – Delhi and the appeal made by Shri B. C. Saxena stands disposed off. Shri Saxena may seek information in a straight forward manner as a citizen, without any pseudonym, as per the provisions of RTI Act.

This also disposes off his 2 other similar appeals dated 23.04.2012 (Export of Rice & Confirmation).


(Rajiv Raizada)
Additional Director &
Appellate Authority

Shri B. C. Saxena,
23/89, East Azad Nagar, Delhi – 110051

Copy to: 1. The CPIO, EIA – Delhi.
2. AD (KS), Computer Division – for uploading on the website.
3. Hindi Cell: for translation.