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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 सेंन्टर बिल्डिंग)
1 जय सिंह रोड़, 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 / CIC / 002211 / 2012 / 9080

दिनांक :
Dated 15 February 2013

ORDER

Subject: Appeal made under Section 19 (1) of the Right to Information Act, 2005 – compliance to directions issued by the CIC – reg.

Shri B. C. Saxena vide his letter dated 25.05.2012 has made an appeal to the Central Information Commission against the Export Inspection Council for not providing information requested by him vide his application dated 15.02.2012.

Shri Saxena, vide letter-dated 15.02.2012, had sought information relating to employment of a Consultant as GS (General Secretary) of 'Delhi Region Export Inspection Employees' Association' paying fee through an IPO drawn in favour of "CPIO, Export Inspection Council". The letterhead also claimed that the said association was recognised by the Export Inspection Council. In response, the CPIO, EIC had informed him vide his letter dated 27.02.2012 that no such association was recognised by EIC. Shri Saxena was also informed of the correct method of payment of fee for RTI and the IPO was returned to him.

Now in compliance to CIC order (case no. CIC/SS/A/2012/002211), 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

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perpetuate the wrong, I do not find any reason to issue any further instructions to CPIO and the appeal made by Shri B. C. Saxena stands disposed of. Shri Saxena may seek information in a straightforward manner as a citizen, without any pseudonym, as per the provisions of RTI Act.

(Rajiv Raizada)
Additional Director &
Appellate Authority

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

Copy to:

1. Ms. Sushma Singh, Information Commissioner, Central Information Commission, Room No. 5, Club Building, Near Post Office, Old JNU Campus, New Delhi – 110 067 ... with reference to case no. CIC/SS/A/2012/002211 dated 05.02.2013.
2. Shri Parmod Siwach, AD (T) & CPIO, EIC, New Delhi.
3. Shri Rajesh Ranjan, AD (T), Computer Division – for uploading on the website.
4. Hindi Cell – for translation.
5. 14 of 2012 – 13