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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 / CIC / 002209 / 2012 / 9184

दिनांक :
Dated : 18 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 Bhagwan Chand Saxena vide his letter dated 25.05.2012 has made an appeal to the Central Information Commission against the Export Inspection Council for deliberately withholding information requested by him vide his application dated 09.01.2012.

Shri Saxena, vide letter-dated 09.01.2012, had sought inspection of file noting and records related to (i) all complaints filed against Shri Deepak Shekhar and others in CVC by him and others and (ii) relieving of Shri Shekhar from EIA – Delhi as GS (General Secretary) of 'Delhi Region Export Inspection Employees' Association'. The letterhead also claimed that the said association was recognised by the Export Inspection Council. In response, the CPIO, EIC had, vide his letter-dated 08.02.2012, denied the information in terms of section 8(1)(j) & 8(1)(h) of the RTI Act.

Whereas 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. 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, however, as the CPIO has furnished the information to him vide his letter dated 08.02.2012, the appeal needs to be dealt on merit.


Now in compliance to CIC order (case no. CIC/SS/A/2012/002209), I have gone through the case papers and observe that

- a. Inspection of file noting and records related to all complaints filed against Shri Deepak Shekhar and others in CVC by him and others should have been addressed to the CPIO, CVC; and

... 2.

- b. Inspection of file noting and records related to relieving of Shri Shekhar should have been addressed to the CPIO, EIA – Delhi as Shri Shekhar had retired from EIA – Delhi.

Accordingly, I do not find any reasons to issue any instruction to CPIO: EIC or the CPIO: EIA – Delhi and the appeal filed by Shri Saxena stands disposed of.


(Rajiv Rajzada)
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 – 110067 this refers to the order passed in case no. CIC/SS/A/2012/002209 dated 05.02.2012 received in this office on 13.02.2013.
2. Shri Parmod Siwach, AD (T) & CPIO, EIC, New Delhi.
3. Shri Rajesh Ranjan, AD (T) – for uploading on the website
4. Hindi Cell – for translation.
5. 82 of 201 – 12.