

145 / CIC / 002217 / 2012 / 402

15 April 2013

ORDER

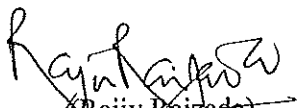
Subject: Appeal made under Section 19 (1) of the Right to Information Act, 2005 – compliance to directions issued by the CIC – reg.

Shri B. C. Saxena vide his letter dated 25.05.2012 has made an appeal to the Central Information Commission against the Export Inspection Agency – Delhi for not providing information requested by him vide his application dated 24.02.2012.

Shri Saxena, vide letter-dated 24.02.2012, had sought information relating to certain documents filed by him under RTI and some advertisements 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, EIA – Delhi had informed him vide his letter dated 23.03.2012 that no such association was recognised by EIC. Shri Saxena has preferred an appeal claiming that he is entitled to information.

Now in compliance to CIC order (case no. CIC/SS/A/2012/002217), 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 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/2012/002217 dated 08.03.2013.

PTD