



Central Information Commission
Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan,
Bhikaji Cama Place, New Delhi-110066
Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/SS/A/2012/003068
July 18, 2013

Appellant : Shri Anurag Bagaria
Respondents : Directorate of Foreign Trade (DGFT)
Date of Hearing : 16.07.2013

ORDER

The present appeal filed by Shri Anurag Bagaria against the Directorate of Foreign Trade (DGFT), New Delhi was taken up for hearing on 16.07.2013 when the Respondents were present through Shri Ramanand Meena, Dy. DGFT and Shri Narendra Vashista, FTDO. The Appellant, however, chose not to be present.

Facts of the case:

2. The Appellant filed his RTI application dated 07.06.2012 with the CPIO, DGFT, Udyog Bhavan, New Delhi seeking information against 3 points viz., whether any order has been passed in the appeal preferred by M/s Shiv Enterprises, if yes provide copy of the same; whether said order has been served on M/s Shiv Enterprises; and copy of proof of delivery of said order to M/s Shiv Enterprises.

3. The CPIO, in response, provided to the Appellant a copy of order dated 16.03.2007 passed on the appeal preferred by M/s Shiv Enterprises. He, however, did not provide copy of proof of delivery/dispatch of said order to the Appellant.

4. The Appellant, being dissatisfied by the reply/information given by the CPIO, filed his first appeal before the Appellate Authority on 13.07.2012 complaining that the CPIO has not provided certified copy of the order in Appeal preferred by M/s Shiv Enterprises, though he had specifically asked for the same. He also complained that information sought in points b) & c) has not been provided by the CPIO.

5. The Appellate Authority decided this appeal vide his order dated 06.08.2012 wherein he recorded that the CPIO has already furnished copy of order in Appeal preferred by M/s Shiv Enterprises to the Appellant and that providing certified copy of the same is not compulsory under the RTI Act. He, however, while mentioning that Original Order in Appeal has been sent to the firm by Speed Post on 19.03.2007, informed the Appellant that no record regarding dispatch of said order is maintained in the office.

6. The Appellant being aggrieved by the order of the Appellate Authority filed the present appeal before the Commission.

Decision:

7. Having heard the submission of the Respondents and perused the records, the Commission hereby directs the CPIO to provide to the Appellant attested copy of the order in question to the Appellant. The CPIO shall also check whether there is any proof of despatch of order in question available in their record and provide a copy of the same to the Appellant. The CPIO should furnish this information to the Appellant within 2 weeks of receipt of this order.

8. Appeal is disposed of with the above directions.

(Sushma Singh)
Information Commissioner

Authenticated by

(D.C. Singh)
Deputy Registrar

Address to the parties:

1. Shri Anurag Bagaria
25, Jadulal Mullick Road
Kolkata 700006

2. The Central Public Information Officer (RTI)
& Dy. Director General (ECA-I)
Directorate of Foreign Trade
Department of Commerce
Udyog Bhavan
New Delhi

3. The Appellate Authority (RTI)
& Jt. Director General (ECA-I)
Directorate of Foreign Trade
Department of Commerce
Udyog Bhavan
New Delhi