



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/2011/000922

Dated: 02.02.2012

Name of Appellant : Shri S.P. Goyal
Name of Respondent : Ministry of Commerce & Industry
DGFT
Date of Hearing : 10.01.2012

ORDER

Shri S.P. Goyal, the appellant has filed present appeal dated 3.3.2011 before the Commission against the Ministry of Commerce & Industry, Directorate General of Foreign Trade (DGFT), New Delhi for not providing information on Point No. 2 to his RTI-request dated 11.10.2010. The appellant was absent, whereas the respondents were represented by Shri Rajiv Arora, Joint DGFT and Shri Kailash Chand Meena, DDG.

2. Shri S.P. Goyal filed RTI-application dated 10.10.2010 seeking information on two queries – *“(1) Please provide copy of letter received by you from the Joint Director General of Foreign Trade, Ludhiana; and (2) Please inform the rate of interest payable by DGFT against payment received by DGFT against Bank Guarantee for completion of export obligations after it is proved that exporter had fulfilled all obligations in full but delay is on the part of Customs/DGFT for technical formalities.”* The CPIO vide letter No. 01/60/162/51/AM11/Grievance Cell/217 dated 30.11.2010 provided information on Point No. 1 consisting of 7 pages. On Point No. 2 the appellant was informed that it was not clear what information was required by him.

3. Aggrieved by the non receipt of information, the appellant filed first-appeal on 10.12.2010 before FAA. The FAA vide letter No. 01/60/162/51/AM11/EFCG (Gr. Cell)/41

dated 18.1.2011 informed the appellant that the interest accrued on the Bank Guarantee furnished by exporters to Banks is not received by DGFT. The appellant has not specified in his letter whether he has completed export obligation and if not, what technical formalities/procedures have not been completed by him with Customs/DGFT. Since such cases of Export Obligation Completion were to be examined by the concerned Regional Authority, he was advised to approach the concerned Regional Authority in this regard.

4. During the hearing the respondent submitted on Point No. 2 of appellant's RTI request that a representation dated 17.12.2008 from the appellant was received on 7.1.2009 through Department of Commerce regarding redemption of an advance licence No. 3181242 dated 3.8.88 of M/s. Monika India Ludhiana. Such licence can only be closed after the export obligation is fulfilled and thereby the license is redeemed. A copy of the Grievance petition was forwarded to the concerned Regional Office in Ludhiana on 19.1.2009 to furnish details. The Regional Office on 22.9.09 informed that this licence was not redeemed as the shipping Bill No. 006520 dated 17.7.91 has not been accepted by the Customs, Kandla. The FAA has provided relevant information to the appellant. As the information sought by the appellant was primarily concerning the Regional Authority, since the issue of export obligation default was involved, the appellant was therefore advised by the CPIO and FAA to approach them for additional information.

5. Having heard the respondent, the Commission observes that requisite information permissible under the RTI Act has been provided to the appellant by the respondent.

The matter is accordingly disposed of.

(Sushma Singh)
Information Commissioner

Authenticated true copy:

(K.K. Sharma)
OSD & Deputy Registrar

Address of the parties:

Shri S.P. Goyal,
103-A, Krishna Chamber,
59, New Marine Lines,
Mumbai-400020.

The CPIO,
Ministry of Commerce & Industry,
Directorate General of Foreign Trade,
EFGC (Grievance Cell),
Udyog Bhavan,
New Delhi-110001.

The First Appellate Authority,
Ministry of Commerce & Industry,
Directorate General of Foreign Trade,
EFGC (Grievance Cell),
Udyog Bhavan,
New Delhi-110001.