



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/C/2013/000237
December 18, 2013

Appellant : Shri Harinder Dhingra

Respondents : Directorate General of Foreign Trade
(DGFT)

ORDER

The Commission through its order dated 30.05.2013 had directed that a show cause notice be issued to the CPIO, DGFT u/s 20(1) of the RTI Act for not furnishing any reply to the Appellant in respect of his RTI application dated 13.01.2011.

2. A show cause notice dated 13.06.2013 was accordingly issued to Shri Gobinda Banerjee, CPIO.

3. Shri Gobinda Banerjee vide his letter dated 19.06.2013 informed the Commission that at the time of filing of RTI application he was not the CPIO. He however sought some time from the Commission to identify the officer, who was holding the charge of the CPIO at the relevant period, so that show cause notice could be served on said officer.

4. Thereafter the CPIO (RTI Section) of DGFT vide his letter dated 01.07.2013 forwarded the show cause notice (issued by the Commission) to Shri K.P. Singh (Ex

CPIO) of DGFT, while also marking a copy of this communication to the Commission for its information.

5. Shri K.P. Singh, Ex CPIO, DGFT, in response, sent a letter dated 09.07.2013 to the Commission wherein he, while informing the Commission that he has since retired from services of the public authority on 30.11.2011, sought 60 days time to respond to show cause notice.

6. Shri K.P. Singh thereafter sent his reply (dated 04.09.2013) to show cause notice to the office of DGFT and marked a copy of the same to the Commission. In this reply he has stated that as per records the RTI application dated 13.01.2011 of the Appellant was not received in the office and that this fact has also been confirmed by the R&I branch of the public authority. However an application dated 10.01.2011 was received in the office which was dealt with by CAPIO, Ms. Sarita Rani, FTDO. This application was forwarded to the concerned section for providing information.

7. The above reply of the noticee, however, did not reach the Commission and therefore the Commission issued another notice dated 07.10.2013 to Shri K.P. Singh, Ex-CPIO as well as to Shri Gobinda Banerjee, CPIO asking them to appear before the Commission on 04.11.2013 along with relevant documents.

8. The matter was accordingly heard on the schedule date in the presence of Shri K.P. Singh, Ex-CPIO and Shri Gobinda Banerjee, CPIO. During the hearing, Shri K.P. Singh filed a copy of his reply dated 04.09.2013 to show cause notice and requested for closure of proceeding initiated against him in view of the facts stated in his said reply.

9. Considering the fact that the RTI application in question has not been received by Shri K.P. Singh, the then CPIO, who has also now retired from the services of the public

authority, the Commission hereby drops the penalty proceeding initiated against him and closes the case.

(Sushma Singh)
Information Commissioner

Authenticated by

(D.C. Singh)
Deputy Registrar

Address to the parties:

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2. Central Public Information Officer
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I.P. Estate
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3. First Appellate Authority
Office of the Additional Director General
of Foreign Trade
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4. Shri K.P. Singh (the then CPIO, DGFT)
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