

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

File No. CIC/CC/A/2015/002344/KY

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Appellant : Shri Ram M Maurya
H. No. 3955, Maloya Complex
Chandigarh

Public Authority : The CPIO
M/o. Commerce & Industry,
O/o.Dte. Gen. of Foreign Trade,
Udyog Bhavan, New Delhi-110011

Date of Hearing : 19.01.2016
Date of Decision : 19.01.2016

Presence:

Appellant : Shri Ram M Maurya and Shri R D Tyagi, Learned Advocate
CPIO : Shri Darshan Singh, Addl. DGFT and Ms. S. Latha, Dy. DGFT & CPIO

FACTS:

- I. Vide RTI application dated **22.12.2014**, the appellant sought information on **sole** issue.
- II. CPIO, vide its response dated **21.01.2015**, reportedly not provided the information to the appellant.
- III. The First Appeal (FA) was filed on **09.02.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide his order dated **11.03.2015**, denied to provide the information u/s 8 (1) (d,e).
- V. Grounds for the Second Appeal filed on **30.03.2015**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant as well as respondents appeared before the Commission personally and made the submissions at length

DECISION

It would be seen here that the appellant, vide his RTI Application dated **22.12.2014**, sought information from the respondents on **sole issue**. Respondents, vide their response dated **21.01.2015**, allegedly denied the required information to the appellant. Being aggrieved by the aforesaid response, FA was filed by the appellant on **09.02.2015** before the FAA, who vide his order dated **11.03.2015**, denied to provide the information u/s 8 (1) (d) & (e) of the RTI Act 2005. Hence, a Second Appeal before this Commission.

2. It is pertinent to mention here that the CPIO, vide his response dated 21.01.2015, denied the required information to the appellant by taking plea that the issues raised by the appellant **dehors Section 2 (f) of the RTI Act 2005**. Further, learned FAA, vide his order dated 11.03.2015, disposed of the FA by **denying** the required information to the appellant by taking a plea under **Section 8(1) (d) and Section 8(1) (e) of the RTI Act 2005**.
3. The Commission heard the submissions made by appellant as well as respondents at length. The Commission also **perused** the case-file **thoroughly**; specifically, **nature of issues** raised by the appellant in his RTI application dated 22.12.2014, respondent's response dated 21.01.2015, FAA's order dated 11.03.2015, other material made available on record including appellant's written submissions dated 19.01.2016 and also the grounds of memorandum of second appeal.
4. In view of the **position above** and in the **circumstances** of the case, the Commission is of the considered view that the plea taken by learned FAA under **Section 8(1) (d) and Section 8(1) (e) of the RTI Act 2005** appears to be **justified** in the eyes of Law. As such, there is **no legal infirmity** in FAA's order. Therefore, the FAA's order dated 11.03.2015 is hereby **upheld** being **legally tenable**. In view of this, the appellant's second appeal deserves to be **dismissed**. Therefore, it is **dismissed**.

The Appeal is dismissed accordingly.

Sd/-

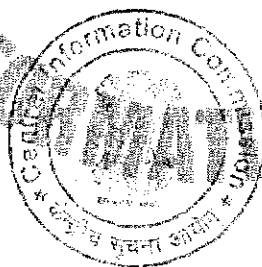
(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy


(Krishan Avtar Talwar)

Deputy Registrar



The CPIO

M/o. Commerce & Industry,

O/o. Dte. Gen. of Foreign Trade,

Udyog Bhavan, New Delhi-110011

Shri Ram M Maurya

H. No. 3955, Maloya Complex, Chandigarh