

CENTRAL INFORMATION COMMISSION
BLOCK IV, OLD JNU CAMPUS, NEW DELHI 110067

F.No.PBA/06/181
18th September, 2006

Appeal No. 104/ICPB/2006
In the matter of Right to Information Act, 2005 – Section 19.

Appellant: Shri Bhagwan Chand Saxena, New Delhi

Public authority: Export Inspection Council of India
Shri S.K. Tandon, Asst. Director & PIO
Shri Vijay Kumar, Addl. Director – Appellate Authority.

FACTS:

The appellant vide his application dated 6.12.2005 addressed to the PIO had requested to provide certified copies of documents related to appointment/engagement of Shri Anil Jauhri, Director, Bureau of Indian Standards, in Export Inspection Council as Adviser in the year 2000, enumerating the details from 1 to 8 seriatim and reasons for his release from EIC. By a letter dated 12.1.2006, PIO furnished certain documents. Earlier to this application, the appellant has sent another application to PIO, Bureau of Indian Standards on 1.12.2005 and by a letter dated 19.12.2005, the CPIO, BIS has furnished all the information except a copy of the appointment order issued by EIC as advisor and this information should be available with EIC. Aggrieved with the documents furnished by PIO, EIC that they were irrelevant, the appellant once again wrote to PIO on 21.2.2006 pointing out that the information sought for has not been provided. He also filed an appeal before AA on 16.1.2006. Again he wrote to PIO on 23.1.2006 seeking for supply of a copy of the appointment order issued by EIC. By a decision dated 17.2.2006, the AA has informed the appellant that whatever records were available in EIC, copies of the same had already been furnished to the appellant. Aggrieved with the said decision, the appellant has filed this appeal in July 2006 contending that information furnished is delayed and incomplete and therefore action should also be taken under Section 20 of the Act. Comments were called for from the CPIO to which the appellant has filed his rejoinder.

DECISION:

It is seen from the appeal that the appellant had filed more or less similar applications – one to CPIO, BIS and the second to PIO,EIC. The CPIO, BIS had furnished full information except the one relating to appointment order issued by EIC. Since the CPIO as well the AA of EIC have submitted that whatever information was available within EIC, the same has been furnished, the appellant cannot complain that incomplete information has been furnished to him. In so far as delay in furnishing the information is concerned, the CPIO has explained that the delay was on account the information having had to be collected from another division and therefore, there is no willful delay on the part of the CPIO to invoke the provisions of Section 20 of the Act.

The appeal is disposed of in the above terms.

Let a copy of this decision be sent to the appellant and CPIO.

Sd/-
(Padma Balasubramanian)
Information Commissioner

Authenticated true copy :

(L. C. Singhi)
Addl. Registrar

Address of parties :

1. Mr. Bhagwan Chand Saxena 23/89, East Azad Nagar, Delhi-110051
2. Mr. S. K. Tandon Asst. Director & PIO, Export Inspection Council of India, M/o C&I 3rd Floor, NDYMCA, Cultural Centre Building 1 Jai Singh Road, New Delhi-110001
3. Mr. Vijay Kumar, Addl Director, Export Inspection Council of India, M/o C&I 3rd Floor, NDYMCA, Cultural Centre Building 1 Jai Singh Road, New Delhi-110001