

SPEED POST /ACK



सत्यमेव जयते
Government of India

Government of India
Ministry of Commerce & Industry
Office of the Development Commissioner
Admin Office Building, MEPZ - Special Economic Zone,
National Highway - 45, Tambaram, Chennai - 600 045
Fax: 044 2262 8218, Email Id: dc@mepz.gov.in

File No. MSEZH/R/E/21/00003

Dated: 05.05.2021

To
Shri. Yuvaraj,
Raju Street, West Mambalam,
Pin: 600023.

Sir,

Sub: Information required under RTI Act, 2005 -Reg.

Kindly refer to your RTI application dated 08.04.2021 with the required fee received in this office on 08.04.2021. The information as available in this office records are provided herewith in respect of this office:

S.NO	INFORMATION REQUESTED	INFORMATION FURNISHED
1	What is difference between Specified Officer and Dy. Commissioner of Customs in SEZ.	It is a hypothetical question. Moreover, the questions asked by the applicant involve interpretation of the relevant Rules and the posts by the CPIO which is not within the purview of RTI Act, 2005, as per the definition of "Information" under Section 2(f) of the RTI Act, 2005.
2	Who is Superior Specified Officer and Dy. Commissioner	The Hon'ble Central Information Commission in its Order dated 03.03.2017 in Appeal No. CIC/SB/A/2016/001025/CBECE-BJ (in the case of Mr.Subrata Guha Ray Vs. CPIO) has stated the following:-
3	As per Rules, Authorised Officer is in-charge of SEZ, but in MEPZ there is Deputy Commissioner of Customs, Appraiser, Examiner, Superintendent of Customs and Preventive officer are there. Which rule allow them to work in customs department designation.	"At the outset the Commission observed that under the provision of the RTI Act, 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. The PIO is not supposed to create information that is not a part of the record. He is also not required to interpret information or furnish replies to hypothetical questions. Similarly, redressal of grievance, reason for non-compliance of rules/contesting the actions of the respondent public authority are outside the purview of the Act."
4	What is difference between Authorised Officer in Private SEZ and Appraiser in MEPZ.	From the above Case Law, it is evident that the CPIO is not supposed to create information that is not part of the records. Therefore, the information sought by the applicant in the present case is not part of the record of this office and does not fall within the purview of Section 2(f) of the RTI Act, 2005.

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DESPATCHED ON

5.5.21

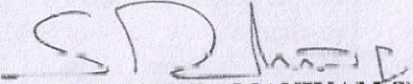
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5	Please share name and Date of Joining (in MEPZ) list of following Development Commissioner, Jt/ Dy / Asst. Development Commissioner, Dy. Commissioner of Customs / Specified Officer, Authorised Officer/ Appraiser/ Examiner/ Preventive officer / Supdt. of Customs. Section Officer/ Assistant/ UDC/ LDC/ MTS/ Contract/ Contingent Staff (including under MEPZ Authority)	Information furnished in Annexure-I & III.
6	Please furnish work allocation of Development Commissioner, Jt/ Dy / Asst. Development Commissioner, Dy. Commissioner of Customs / Specified Officer, Authorised Officer/ Appraiser/ Examiner/ Preventive officer / Supdt. of Customs. Section Officer/ UDC/ LDC/ MTS/ Contract/ Contingent Staff (including under MEPZ Authority)	Information furnished in Annexure-II & III.

2. If you are not satisfied with the information furnished above, you may prefer an appeal with the 1st Appellate Authority detailed below within 30 days of the date of this letter.

**Shri. Vikas Pal, IRS,
Deputy Commissioner of Customs,
MEPZ-Special Economic Zone,
N.H. 45, Tambaram,
Chennai-600 045.**

Yours sincerely,


(BALASUBRAMANIYAM S)

CPIO/Assistant Development Commissioner