

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi -110067.

CIC/AA/A/2019/109
CICOM/A/2019/00095
CICOM/R/2019/00296

Name of the appellant : Shri D.K. Bhaumik,
4/3K/171,
Ho Chi Minh Sarani,
Kolkata – 700 061.

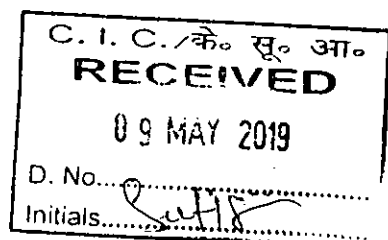
1.	Date of RTI application	25.03.2019
2.	Date of reply of the RTI application	10.04.2019
3.	CPIO(s) who furnished reply	CPIO, RTI Cell
4.	1 st Appeal Date	22.04.2019 received through DDPO(Admin) & CPIO, Kolkata GPO vide No.CB/RTI/25/2019-20 dated 23.04.2019.
5.	Diary No. of 1 st Appeal of the Dak Section	11901
6.	Diary date of the Dak Section	30.04.2019
7.	Diary date of 1 st Appeal in the office of FAA	02.05.2019
8.	Date of Decision	08.05.2019

Brief facts of the case:-

In the RTI application, appellant has sought following information:-

- (1) The manner as to how a public authority can be decided to be a central public authority having regard to the statement "Jurisdiction of CIC extends over all Central Public Authorities." (vide CIC's brochure);
- (2) The manner as to how a public authority can be decided to be a state public authority;
- (3) Whether or not jurisdiction of CIC extends over any State Public Authorities; if YES, names of all such State Public Authorities;
- (4) Whether or not jurisdiction of CIC extends over the following public authorities:
 - (a) Public authorities constituted under the Constitution of India;
 - (b) Public authorities constituted under the Central Acts;
 - (c) Public authorities constituted under the State Acts;
 - (d) Public authorities constituted under notification/order of the Central Government;

P.T.O.



(e) Public authorities constituted under notification/order of the State Government.

2. In response to RTI application, Shri TBJs Rajappa, CPIO, RTI Cell vide reply dated 10.04.2019 has referred RTI Act, 2005 and RTI Rules, 2012 and also provided their link in the CIC's website. In his reply, CPIO also informed that:-

"Further, the jurisdiction of State Information Commission and Central Information Commission are distinct & separate. State matters can't be heard in Central Information Commission."

3. In the appeal, appellant has stated that CPIO did not furnish the specific information on Points 1 to 4 (a) to (e) and desired information does not attract sections 8 and 9 of the RTI Act, 2005. Appellant further requested to supply specific, correct and complete information.


Decision with reasons:-

On perusal of the RTI application, CPIO's reply and appeal, it is observed that in the RTI application, appellant has not sought any information but made queries and queries does not falls under the definition of 'information'. In this context, reply of the CPIO is seems to be appropriate.

3. In view of the above, appeal is disposed of.

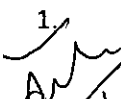
4. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 9th May, 2019.


(Rakesh Kumar Singh)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. Shri TBJs Rajappa, CPIO, RTI Cell, CIC, New Delhi.


03/05/19