



**CENTRAL INFORMATION COMMISSION**  
**Baba Gang Nath Marg, Munirka,**  
**New Delhi - 110 067**

**Sh. R.R. Tripathy**

**....Appellant**

**VERSUS**

**Central Information Commission**

**.....Respondent**

**Date of hearing: 20/09/2019**

**Time : 03:30 p.m.**

**Case No:**

1. **CIC/AA/A/2019/186**
2. **CICOM/A/2019/60145**
3. **CICOM/R/2019/50662**

**Present:**

1. **None - For the Appellant**
2. **Sh. H.P. Sen, DR to IC (DP) & concerned CPIO - For the Respondent**
3. **Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) - For the Respondent**

**Brief facts:**

1. Sh. R. R. Tripathy, the Appellant sought the following information vide his RTI application dated 13/08/2019:
  - i. Total no. of cases decided by Sh. Divya Prakash Sinha, IC during the period from his joining until today.
  - ii. Total no. of case out of Sl. 1 above in which prior notices were not issued to CPIOs and the Appellant/Complainant.
2. Sh. H.P. Sen, the concerned CPIO, responded to the RTI application vide his letter dated 20/08/2019, and sent a point-wise reply as follows:



i. No Till August 19, 2019, 9703 cases have been decided by Hon'ble IC, Sh. Divya Prakash Sinha.

ii. No such record is maintained in this Registry.

3. Being dissatisfied with the reply of the CPIO, the Appellant filed First Appeal dated 28/08/2019 before the First Appellate Authority, on the grounds that details not provided, provided incomplete, misleading or false information. He has further mentioned that the PIO is providing misleading and false information for Sl. No. 2.

**Record of proceedings:**

1. Sh. R.R. Tripathy did not appear for the hearing. However, Sh. H.P. Sen, concerned CPIO and Sh. T.B.J.S. Rajappa, Nodal CPIO (RTI Cell) were present during the hearing of the case.

2. On perusal of the RTI application, reply of the CPIO and the First Appeal filed by the Appellant it has been observed that the CPIO has provided the complete information as desired by the Appellant in his RTI application.

3. In the First Appeal filed by the Appellant, he has mentioned the grounds of Appeal as provided incomplete, misleading or false information and also attached his submission dated 28/08/2019. The Appellant was afforded an opportunity to attend the hearing on 20/09/2019 but neither he attended the hearing nor responded to the notice of hearing sent to him for attending the hearing. As per records available in the file, the CPIO has clearly mentioned in his reply to the RTI application that till August 19, 2019, 9703 cases have been decided by Hon'ble IC Shri Divya Prakash Singha and no such record is maintained in the concerned Registry with respect to point 2 of the RTI application.

4. The CPIO has rightly provided the information available with him and he is under no legal obligation to generate any information or the information which is not available with him as desired by the Appellant. Hence, the Appeal is dismissed being devoid of merits.

Sh. R.R. Tripathy is further informed if he is not satisfied with the order of the undersigned, he is free to file a Second Appeal under Section 19 (1) of the RTI Act, 2005 before the Hon'ble Information Commissioner Sh.



Divya Prakash Sinha at the above mentioned address within a period of 90 days from the date of receipt of this order.



(Piyush Agarwal)  
Registrar & First Appellate Authority  
20/09/2019

To:

Sh. R. R. Tripathy  
Office No. 18, Sreeji Arcade,  
Thane (W), Mumbai  
Maharashtra - 400602  
M. No. 7738263003



Copy To:

1. Sh. H.P. Sen,  
DR to IC (DP) & concerned CPIO  
Central Information Commission
2. Sh. T.B.J.S. Rajappa  
Nodal CPIO (RTI Cell)  
Central Information Commission

Pawan  
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