



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

Sh. R.R. Tripathy

....Appellant

VERSUS

Central Information Commission

.....Respondent

Case No :

1. CIC/AA/A/2019/217
2. CICOM/A/2019/60153
3. CICOM/R/2019/50688

Brief facts:

1. Sh. R.R. Tripathy, Appellant sought the following information vide his RTI application dated 20/08/2019:
 - i. Number of Appellant/Complainant whose cases in more than 100 were decided by IC-Sh. D.P. Sinha during the period from date of his joining until 20/08/2019.
2. Sh. H.P. Sen, DR to IC (DP) and concerned CPIO, vide his letter dated 26/08/2019 replied to the RTI application of the Appellant mentioning therein that no such record is maintained in the concerned Registry.
3. The Appellant, being dissatisfied with the reply sent by the CPIO, filed a First Appeal dated 07/09/2019 before the First Appellate Authority on the grounds that details not provided, provided incomplete, misleading or false information. The Appellant has further requested to provide the information and mentioned the following in his First Appeal:
 - i. The CPIO has wrongly denied the information which is fit to be provided to the Applicant.
 - ii. The CPIO has adopted callous and casual approach while deciding the request of the Applicant.
 - iii. The CPIO has not applied his mind while deciding the RTI request.
 - iv. The information sought for is very much under the control of the CPIO which has been denied causing huge disrespect to the RTI Act.

Decision:

1. Sh. R.R. Tripathy, Appellant has not requested for personal hearing in this case. On perusal of the RTI application, reply of the CPIO and the submissions made by the Appellant in his First Appeal, it has been observed that the CPIO has rightly provide the information to the Appellant that no such record is maintained by the concerned Registry. Therefore, I am fully satisfied with the reply sent by the CPIO to the RTI applicant.
2. Appellant is further informed that the CPIO is under no legal obligation under the RTI Act, 2005 to create or generate any such information as desired by the Applicant which is not available with him. 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
23/09/2019

To:

Sh. R. R. Tripathy
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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

