

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi – 110 067

CIC/AA/A/2020/43
CICOM/A/F/20/00022
CICOM/R/E/2020/00078

Name of the Appellant: Sh. Saquib Ahmed
SC/44/10, Shah Colony, Shahganj,
Agra, Uttar Pradesh. Pin – 281 010

1.	Date of RTI application	31.01.2020
2.	Date of reply of the RTI application	05.02.2020
4.	CPIO (s) who furnished reply	Sh. T. B. J. S. Rajappa, CPIO, RTI Cell, CIC, New Delhi.
3.	1 st Appeal Date	05.02.2020
5.	Date of Decision	10.02.2020

Brief Facts of the case:-

1. In his RTI application, the appellant asked for following information:
 - a). Please provide me the information on whether the Indian Postal Order should be crossed or not at the upper left corner while applying RTI application.
 - b). Please provide me the information that can we send the PAY TO place blank in IPO if we don't have the information about the PAY TO for the department we are sending RTI application.
 - c). Please provide me the information if we send IPO and PAY TO place blank what should we write in RTI application about the blank place an RTI application.
 - d). Please let me know what should we have to fill at AT THE POST OFFICE AT in Indian Postal Order whether the address of the post office where we bought the postal order or address of the post office where we applied for RTI application.

Reply of CPIO:-

2. In response to the RTI application Sh. T.B.J.S. Rajappa, CPIO, RTI Cell, CIC, New Delhi, vide his letter dated 04.02.2020 informed the appellant that:

“No clarifications/comments can be offered under RTI Act. You may approach the concerned authority for clarifications.”

Ground of First Appeal:-

3. Aggrieved with reply furnished by the CPIO, the appellant filed First Appeal complaining, “Refused access to information requested” and requested to provide the information which he had asked for in pdf attachment from the CPIO.

0/c

C. I. C. / के. सू. आ.
RECEIVED
11 FEB 2020
D. No.....
Initials.....

Comments of CPIO on First Appeal:

4. For Disposal of First Appeal, written comments of CPIO were asked by the FAA. The CPIO in his comments has submitted that:

"Appellant sought clarifications regarding manually filling of IPO for RTI application offline. Accordingly replied on 04.02.2020 as "No clarifications/comments can be offered under RTI Act. You may approach the concerned authority for clarifications.

In general, the reply to appellant is attached in RTI portal to the RTI request reply. But, in this case, due to non-functioning of Scanner of RTI Cell, the reply could not be scanned and uploaded while replying online, and mention was made against Reply of Application as "Replied vide letter dated 04.02.2020. However, with the supply of another Scanner, these replies have now been uploaded onto AppsCom. The same is conveyed to appellant through email on 07.02.2020."

Decision with reasons:-

5. On perusal of the Appeal, RTI application and CPIO's reply it is observed that the reply given by the CPIO is factual and as per provision of the RTI Act, 2005. It is worth mentioning here that under the provisions of the RTI Act 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 the hypothetical questions. In respect to the appellant's complain that the response from the CPIO was not received in attached pdf format, it is informed that the CPIO in his comments has clearly stated that due to non-functioning of Scanner of RTI Cell, the reply could not be scanned and uploaded while replying online to the appellant. But presently the same has now been uploaded onto AppsCom and it has also been mailed to the appellant on 07.02.2020. In light of the above, further intervention is not required on the part of the FAA, in the matter.

6. The appeal is being disposed of accordingly.

7. 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 - 110 067 against this order within 90 days.

Dated: February 10, 2020.

M. Balimane
10/2/2020
(Smt. Meena Balimane Sharma)

First Appellate Authority

Tel: 26162290

Copy to:-

✓ CPIO, RTI Cell, CIC, New Delhi.

Recd 11/2/20
CPIO

