

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

CIC/AA/A/2020/59

CICOM/A/P/20/00026

CICOM/R/P/2020/00062

Name of the Appellant:

Shri Varun Gupta

Block-B, Pocket – 5, House No. – 229,

Sector – 11, Rohini, Delhi – 110 085

1.	Date of RTI application	N.A.
2.	Date of reply of the RTI application	12.02.2020
4.	CPIO (s) who furnished reply	Sh. R. P. Grover, CPIO & DO (IC-YS)
3.	1 <sup>st</sup> Appeal Date	14.02.2020
5.	Date of Decision	20.02.2020

**Brief Facts of the case:-**

1. In his RTI application, the appellant asked for following information:-

- "I have filed (Registered) a complaint No. 184553 on 22 Dec. 2017. Please tell me the status of my Complaint.
- Is it true, CIC has a responsibility to provide correct information through the concerned authority?
- If concerned authority give false information after order of CIC, what is a action taken process on the concerned PIO?"

**Reply of CPIO:-**

2. In response to the RTI application Sh. R. P. Grover, CPIO & DO (IC-YS), vide his letter dated 12.02.2020 informed the appellant that:

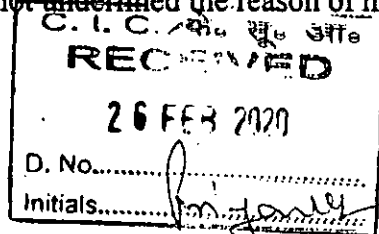
"1. Complaint vide diary No. 184553 dated 22.12.2017 not filed by you as record in the Commission.

2. Hypothetical question does not cover under RTI Act.

3. As per point no. 2."

**Ground of First Appeal:-**

3. Aggrieved with reply furnished by the CPIO, the appellant filed First Appeal by stating that he is completely dissatisfy with the reply given by the CPIO. However, the appellant has not underlined the reason of his dissatisfaction in his 1<sup>st</sup> appeal petition.



**Decision with reasons:-**

4. On perusal of the Appeal, RTI application and CPIO's reply it is observed that the appellant is seeking information against a petition filed by other individual and not the applicant himself. Hence, the reply of CPIO is correct that the RTI application has not been filed by individual as per CIC record. Further it is a fact that requisite information (status of application filed for) as asked for by the applicant pertains to third party, which cannot be provided under Section 8(1)(J) of RTI Act, 2005. Under the provision of Section 2(f) of RTI Act, a CPIO can only provide those information, which is available in record as material form. Providing opinion on hypothetical question is beyond the duty of a CPIO.

In light of the above observation, the undersigned is of the opinion, that the replies given by the CPIO is factual and-as per provision of the RTI Act, 2005. Therefore, further intervention is not required on the part of the FAA, in the matter.

5. The appeal is being disposed of accordingly.

6. 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 20, 2020.**

*MB Balimane*  
*20/2/2020*  
(Smt. Meena Balimane Sharma)

**First Appellate Authority**

**Tel: 26162290**

**Copy to:-**

- ✓ 1. CPIO, RTI Cell, CIC, New Delhi.
  - ✓ 2. Sh. R. P. Grover, CPIO & DO (IC-YS), CIC, New Delhi.
- 26/02/20* *26/2/2020*