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

CICOM/A/P/20/00065
CICOM/R/P/20/00312

Name of the Appellant: Shri Vincent D'Souza
R/o Pearl Colony,
A/5, 1st Floor, Dr. B. A. Road,
Dadar East, Mumbai-400 014

1.	Date of RTI application	Nil
2.	Date of reply of the RTI application	28.07.2020
3.	CPIO (s) who furnished reply	Sh. S. C. Sharma, CPIO-DR-(IC-NG)
4.	Date of First Appeal application	09.08.2020
5.	Date of receipt of First Appeal application in office of the FAA	19.08.2020
6	Date of Decision	15.09.2020

1. Brief Facts of the case:-

The Appellant, through his RTI Application, giving reference of his Second Appeal No. CIC/CCITM/A/2018/119009-BJ, has asked for following information.

a. Please provide me a C.T. copy of letter/reply dated 05.02.2018, as stated by respondent on page (02) of para (01) of order line (03).
b. Please let me know on page (02) of order para (01), line (08) it is stated approximately (70) orders has been passed by public authority. Please provide me the 70 orders passed stated or provide me a summary, if any to me.
c. Please let me know No reply on record to RTI Appeals of Appellant dated 14.10.2017 and 14.12.2017. Please provide me information any note sought from respondent for non reply to two RTI Appeals. Kindly provide information.

2. Reply of CPIO.

In response to the above RTI Application the CPIO, Sh. S. C. Sharma, DR-(IC-NG) vide his letter dated 28.07.2020 provided pointwise information to the Appellant, which is as follows:

a. Letter dated 05.02.2018 is not available in the file.

b. Not available in the File.

c. No information is available in file. A letter dated 14.06.2020, from Shri Shailesh Kumar V Yadav, Income Tax Officer-20(1), Mumbai, addressed to you, and available in the file, is enclosed.

3. **Ground of First Appeal:**

The appellant has filed his First Appeal without giving any specific reason of dissatisfaction to the reply sent by the CPIO.

4. **Decision with reasons:**

On perusal of the Appeal, RTI application and the reply, sent by the CPIO, it is observed that the CPIO has provided point-wise information to the Appellant as per information available in record. It is worth mentioning here that under the provision of Section 2(f) of RTI Act, 2005, 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 by a PIO. The PIO is not supposed to create information that is not a part of the record. Hence, the CPIO has provided factual information to the Appellant, which is as per the provision of the RTI Act, 2005. Therefore, no intervention is required on behalf of the FAA in this 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 – 15th September, 2020.

T Balimane 15/09/2020

(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:-

1. **Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.**
2. **Sh. S. C. Sharma, CPIO-DR-IC(NG), CIC, New Delhi.**

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