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

CICOM/A/P/20/00075
CICOM/R/P/20/00276

Name of the Appellant: Shri Ajay Manda
H.No.-1179. Sector-18c,
Chandigarh-160 018

1.	Date of RTI application	18.06.2020
2.	Date of reply of the RTI application	05.08.2020
3.	CPIO (s) who furnished reply	Sh. A. K. Assija, CPIO & DR to IC(VN)
4.	Date of First Appeal application	16.08.2020
5.	Date of receipt of First Appeal application in office of the FAA	04.09.2020
6	Date of Decision	21.09.2020

1. Brief Facts of the case:-

The Appellant, through his RTI Application, has asked for the following information:

1. "Give records for the Q.No.01 to 08, 16, 17, 24, 25, 27, 38, 40 to 42, 43, 47 and 49 to 53 for File No. CIC/DOA&C/A/2017/148935 concern with RTI of dated 01.04.2017.
2. What is status of My Appeal of letter dated 16.10.2018 in which I have sent details that the CPIO has NOT followed the order of CIC, Delhi for File No. CIC/DOA&C/A/2017/148935 concern with RTI of dated 01.04.2017.
3. Give records for Q.No. 01 to 04 against RTI dated 11.01.2017 concerns with order of File No. CIC/MAGRI/A/2017/124755.
4. What is the status of my representation of dated 23.03.2020 which was sent to Hon'ble IC, V. N. Sarna?
5. What is status of My Appeal of letter dated 16.09.2018 in which I have sent details that the CPIO has NOT followed the order of CIC, Delhi for File No. CIC/MAGRI/A/2017/124755 concerns with RTI dated 11.01.2017
6. Give copy of records against which I have made NON-COMPLIANCE petition on 04.09.2018 against RTI dated 13.05.2016 of Second Appeal No. CIC/MAGRI/A/2017/124750, whose hearing was held on dated 20.08.2018?
7. Give name of the Employees/Designation who has read/listned the compact Disc on which date as it was sent to Hon'ble IC, V. N. Sarna with the representation of dated 23.03.2020?
8. Give any single copy of records against which the FIRST APPELLATE AUTHORITY OF CCSNIAM, Jaipur has been repled to CIC, against any RTI or First Appeal.

9. Given name of any single RTI act which has been implemented by the CCSNIAM, Jaipur and that RTI Act has not been violated till date? "

2. Reply of CPIO.

In response to the above RTI Application the CPIO, Shri A. K. Assija, CPIO & DR to IC-VN, provided following Point wise information to the Appellant:

1. "A copy of letter No. 02/NIAM/ADMN/Ex-SCO/113/2017 dated 24.09.2018 received from Dr. S. R. Singh, Dy. Director (Admn I/C)/CPIO, Ch. Charan Singh National Institute of Agricultural Marketing (CCSNIAM) is attached.
2. A copy of letter dated 31.07.2020 written to CCSNIAM is attached in regard to the un-satisfactory reply received from respondent.
3. A copy of the letter No. 02/NIAM/ADMN/Ex-SCO/113/2017/18009 dated 04/09/2018 received from Dr. S. R. Singh, Dy. Director (Admn I/C)/CPIO is attached.
4. Not available on record.
5. A copy of letter dated 31.07.2020 written to CCSNIAM is attached in regard to the unsatisfactory reply received from respondent.
6. Information not available on record.
7. Information not available on record.
8. No such record is maintained by the registry.
9. No such record is maintained by the registry."

3. Ground of First Appeal:

Aggrieved with the reply sent by the CPIO, the Appellant has filed First Appeal, alleging that incomplete information has been provided by the CPIO, CIC. The Appellant has basically complained that the concerned CPIO has not complied with the Orders passed by the Commission in respect to his Second Appeals No. CIC/DOA&C/A/2017/148935 & CIC/MAGRI/A/2017/124755.

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 important to note that under the provisions of Section 2(f) 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 by a PIO. Hence, the information provided against point No. 1, 2, 3, 5 and 7 to 9 is factual and as per the provision of RTI Act, 2005.

Further, from perusal of the information provided against point Nos. 4 & 6, it is not clear as to whether the representations dated 23.03.2020 and 04.09.2018 of the Appellant have been received in the registry/Commission or not, and if received, action have been taken on them or not, as has been asked for by the Appellant through his RTI Application.

In light of the above Shri A. K. Assija, CPIO & DR to IC(VN) is directed to revisit the queries Nos. 4 and 6 of the RTI Application and send a fresh reply to the Appellant within 15 days after receipt of this order.

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 – 21st September, 2020.

21/09/2020

(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:-

1. **Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.**
2. **Sh. A. K. Assija, CPIO & DR to IC(VN), CIC, New Delhi.**

22/09/20