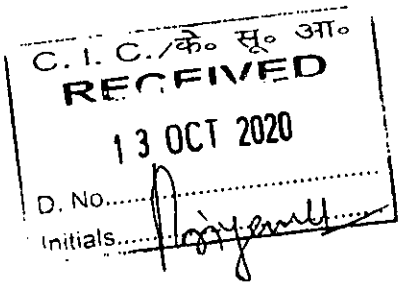
Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi – 110 067



CICOM/A/P/20/00081
CICOM/R/P/20/00285

Name of the Appellant: Shri Muthumalai
H.No.-20/3, Prem Nagar, FMC Road,
Huddo Post, Port Blair-744 102

1.	Date of RTI application	18.06.2020
2.	Date of reply of the RTI application	13.07.2020
3.	CPIO (s) who furnished reply	Sh. H. P. Sen, CPIO & DR to IC-DP
4.	Date of First Appeal application	30.07.2020
5.	Date of receipt of First Appeal application in office of the FAA	07.09.2020
6	Date of Decision	25.09.2020

1. Brief Facts of the case:-

The Appellant, through his RTI Application, asked for information regarding action taken on his letter dated 16.12.2017 and copies of related documents, sent to the Commission in respect to his Second Appeal No. CIC/UTOAN/A/2017/312233, which was decided by the Commission vide order dated 13.10.2017.

2. Reply of CPIO.

In response to the above RTI Application the CPIO, Shri H. P. Sen, DR to IC-DP, informed the Appellant that, "no information is available on record, regarding action taken on your letter dated 16.12.2017."

3. Ground of First Appeal:

Aggrieved with the reply sent by the CPIO, the Appellant has filed First Appeal stating that the reply sent by the CPIO is "illegal, incorrect and gross violation against under the RTI Act."

4. Decision with reasons:

On perusal of the Appeal, RTI application and the reply sent by the CPIO, it is observed that the factual position regarding action taken on the letter dated 16.12.2017 of the Appellant has been intimated by the CPIO on the basis of information available in record. It is worth mentioning here 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. Accordingly, the information sent by the CPIO, CIC is

factual and as per the provision of the RTI Act, 2005. Further, the Appellant has not made any specific complain against the information provided by the CPIO, but he is aggrieved with the fact that no action has been taken by the Commission on his said letter, which is in fact a non-compliance petition of the order passed by the Commission in his above Second Appeal. If he wishes, he may approach he concerned Registry of the Commission for early disposal of his non-compliance petition separately.

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 – 25th September, 2020.

MBalimane 25/09/2020

(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:- 13/10/20

1. **Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.**
2. **Sh. H. P. Sen, CPIO & DR to IC(DP), CIC, New Delhi.**

13/10/20