

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

CICOM/A/P/20/00084
CICOM/R/T/20/00039

Name of the Appellant: Dr. S. K. Maheswari
S-295, 2nd Floor,
Greater Kailash-I, Delhi-110 048

1.	Date of RTI application	11.08.2020
2.	Date of reply of the RTI application	10.09.2020
3.	CPIO (s) who furnished reply	Sh. Ram Kumar, CPIO, RTI Cell, CIC
4.	Date of First Appeal application	22.07.2020
5.	Date of receipt of First Appeal application in office of the FAA	15.09.2020
6.	Date of Decision	14.10.2020

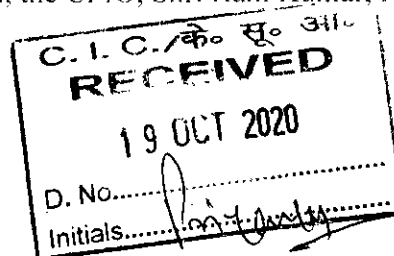
1. Brief Facts of the case:-

The present First Appeal has been received in the Central Information Commission through Department of Personnel & Training in respect to the RTI Application dated 28.05.2020 of the Appellant, which was originally filed with the CPIO, President Secretariat and was transferred to DOP&T and consequently to the Central Information Commission u/s 6(3) of RTI Act, 2005. The Appellant through his RTI Application, by referring his petition dated 25.12.2019, sent to the President Secretariat, asked for following information:

1. Please provide the certified copies of noting portion vide which said petition is dealt.
2. Certified copy of Order passed on my petition by the Competent Authority.
3. Certified copy of the procedure followed by President Secretariat in the decision making process. Including channels of supervision in passing the Order on my Petition.
4. Certified copy of the norms set by President Secretariat for discharging its function in the disposal of these Petition.
5. Present status of Petition.

2. Reply of CPIO.

In response to the above RTI Application, the CPIO, Shri Ram Kumar, RTI Cell informed the Appellant that "No such information exists."



3. Ground of First Appeal:

The Appellant, in his First Appeal has not made any reference against the reply sent by the CPIO, Central Information Commission.

4. Decision with reasons:

On perusal of the Appeal, RTI application and the reply sent by the CPIO, it is observed that the Appellant filed his RTI Application originally to the CPIO, President's Secretariat, which was disposed off by him vide letter No. PRSEC/R/E/20/00456 dated 23.06.2020 informing the Appellant that "The petition dated 25.12.2019 has not been received in concerned Section. However, a petition dated nil was received in concerned Section and the same "in original" was forwarded to the Secretary, Government of India, Department of Personnel and Training." The CPIO, President's Secretariat also forwarded the RTI application to the CPIO, DoP&T for further information in this regard, which was further transferred to the CPIO, CIC by CPIO, DoP&T.

The CPIO, CIC has informed the Appellant that, "no such information exists".

The CPIO, CIC in his comments has informed the undersigned that as per available record of the Commission no communication dated 25.12.2019 has been received in the Commission in the name of the Appellant. 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.

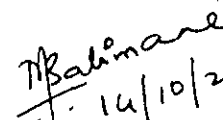
Further, it is also observed that the Appellant in his First Appeal has not made any reference against the reply sent by the CPIO, CIC, but he is aggrieved with rejecting his petition by President's Secretariat on the ground of "Double Entry."

In light of the above the reply sent by the CPIO is as per the provision of RTI Act and 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 – 14th October, 2020.


(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:-

1. Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.


19/10/20