

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

C. I. C. के सू. आ.	
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D. No.	
Initials	

CICOM/A/P/20/00089
CICOM/R/P/20/00280

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

1.	Date of RTI application	22.06.2020
2.	Date of reply of the RTI application	13.07.2020
3.	CPIO (s) who furnished reply	Sh. H. P. Sen
4.	Date of First Appeal application	30.07.2020
5.	Date of First Appeal application received in the office of FAA	09.10.2020
6.	Date of Decision	28.10.2020

Brief Facts of the case:-

1. The Appellant, through his RTI Application, asked for information regarding action taken on his letter dated 28.08.2017 and copies of related documents, which was sent for incomplete compliance with the second appeal order no. CIC/SH/A/2016/000817/SB dated 16.06.2017 by the concerned CPIO.

Reply of CPIO:-

2. The CPIO, Sh. H. P. Sen, DR to IC-DP, vide his letter dated 13.07.2020, informed the Appellant that, "No information is available on record regarding action on your letter dated 28.08.2017."

Ground of First Appeal:-

3. Aggrieved with the reply, given by the CPIO, the Appellant has filed First Appeal complaining that the CPIO has failed to provide the complete and correct information to the Appellant within the time limit.

Decision with reasons:-

4. On perusal of First Appeal, RTI Application and the information provided by the CPIO, it is observed that the Appellant has asked for information regarding action taken on his letter dated 28.08.2017 and copies of documents in this regard. The CPIO, in his reply, has informed the Appellant that "no information is available on record regarding action on your letter dated 28.08.2017." It is worth mentioning here that as per 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. Hence the reply sent by the

o/c

CPIO is factual and as per the provision of RTI Act, 2005. Hence no further 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 28th October, 2020.

MP Balimane
28/10/2020
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:-

- ✓ 1. Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.
Sh. H. P. Sen, CPIO, DR to IC-DP, CIC, New Delhi.

MP
30/10/20