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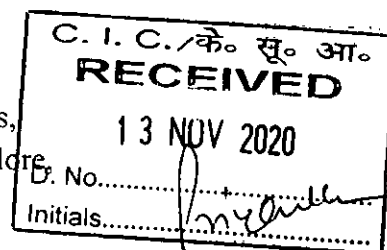
Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi – 110 067

CICOM/A/P/20/00091

CICOM/R/P/20/00394

Name of the Appellant:

Shri Sai Krishna Vishwanathan
House No. 4, Vasavi 10 A Cross,
16, Main BTM Layout, Bangalore,
Pin – 560 076



1.	Date of RTI application	24.07.2020
2.	Date of reply of the RTI application	15.09.2020
3.	CPIO (s) who furnished reply	Sh. H. P. Sen, DR/IC-DP
4.	Date of First Appeal application	29.09.2020
5.	Date of receipt of First Appeal application in office of the FAA	29.10.2020
6.	Date of Decision	12.11.2020

1. Brief Facts of the case:-

The Appellant, through his RTI Application, asked for status of action taken on his petition sent vide letter no. 1064649/CIC/01/Second Appeal dated 24.07.2020, in respect to non-compliance of Second Appeal Order no. CIC/IARMY/164169 dated 13.07.2020 of the Commission.

2. Reply of CPIO.

In response to the above RTI Application the CPIO, Sh. H. P. Sen, DR/IC-DP through his letter dated 15.09.2020 informed the Appellant that “action on your application dated 24.07.2020 is still pending. You will be intimated as soon as action is over.”

3. Ground of First Appeal:

The Appellant, in his First Appeal petition, has not raised any objection with the reply sent by the CPIO, CIC, but he has complained that the concerned CPIO, Station HQ, Belgaum has not complied with the order of the 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 has asked for information regarding status of action taken on his petition dated 24.07.2020. It is worth mentioning 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. Therefore, no intervention is required on behalf of the FAA in this matter. The Appellant can take up his non-compliance matter, if any, with the concerned registry, if he desires. However, It is observed that one other RTI Application (CICOM/E/20/00732) with similar nature of query was filed

online by the Appellant and in response to that CPIO, DO to IC-VN in his online reply intimated the Appellant that "compliance report dated 25.09.2020 in respect to Second Appeal order No. CIC/ IARMY/A/2018/164169 dated 13.07.2020 has been received from concerned CPIO, which is addressed to the Appellant and its copy has been endorsed to the Commission." The CPIO, DO to IC-VN also sent the copy of the letter to the Appellant with his reply. The First Appeal no. CICOM/A/E/20/00180 has also been decided by the undersigned in this regard.

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 – 12th November, 2020.

MBalimane
12/11/2020
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Copy to:-

- ✓ 1. Sh. Ram Kumar, CPIO, RTI Cell, CIC, New Delhi.
- ✓ 2. The CPIO, Sh. Sh. A. K. Assija DO to IC-VN, CIC, New Delhi.

Am
13/11/20

Ray
13/11/20