

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

CICOM/A/P/20/00114
CICOM/R/P/20/00406

Name of the Appellant: Shri Muthumalai
H.No.20/3 FMC Road, Premnagar,
HADDU Post Office, Port Blair, South Andaman - 744102.

1.	Date of RTI application	01.09.2020
2.	Date of receipt of RTI application in RTI Cell	17.09.2020
3.	Date of reply of the RTI application	22.10.2020
4.	CPIO (s) who furnished reply	Shri R.P. Grover
5.	Date of First Appeal application	31.10.2020
6.	Date of receipt of First Appeal application in the office of the FAA	11.12.2020
7.	Date of Decision	31.12.2020

Brief Facts of the case:-

1. The Appellant, through his RTI application, has asked for the following information:-

“Certified copies of any Written submissions, along with all their enclosures, made during the period 25.07.2019 till 01.09.2020 by CPIO, SP(CID), A&N Islands and available in CIC, New Delhi in response to Notice No.CIC/UTOAN/A/2018/124437 dated 25.07.2019 of Shri H.P.Sen, Dy. Registrar, CIC, New Delhi.”

Reply of CPIO:-

2. CPIO Shri R.P. Grover has replied to the Appellant as under vide his letter dated 22.10.2020:-

“No submission is available in the appeal file maintained in PDF format in appeal file No.CIC/UTOAN/A/2018/124437 response to the notice dated 25.07.2019.”

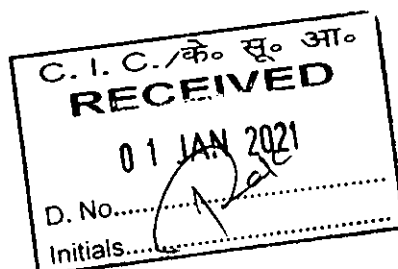
Ground of First Appeal:-

3. In the First Appeal petition, the Appellant submits that the PIO has not provided the requisite information wilfully.

Decision with reasons:-

4. On perusal of the First Appeal petition, RTI application and reply given by the CPIO, it is observed that reply given by Shri R.P.Grover, CPIO, CIC is factual and as per the provisions of the RTI Act, 2005. 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. The PIO is not supposed to create or collect information that is not a part of the record. 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.

MBalimane
31/12/2020
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Dated –31st December, 2020.

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Shri R.P.Grover, CPIO, CIC, New Delhi.

mb
31/12/21

[Signature]
1/1/2021