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

CICOM/A/P/20/00115
CICOM/R/P/20/00458

Name of the Appellant: Shri Dhanraj Bagrecha
15, Bagrecha Building, Tripolia Bazar,
Jodhpur, Rajasthan – 342001.

1.	Date of RTI application	13.09.2020
2.	Date of receipt of RTI application in RTI Cell	21.10.2020
3.	Date of reply of the RTI application	11.11.2020
4.	CPIO (s) who furnished reply	Shri S.C.Sharma
5.	Date of First Appeal application	23.11.2020
6.	Date of receipt of First Appeal application in the office of the FAA	17.12.2020
7.	Date of Decision	24.12.2020

Brief Facts of the case:-

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

With reference to the case of Shri Dhanraj Bagrecha Vs. PIO, Indian Oil Corporation Ltd. and Clause 3 of CIC order dated 13.12.2017 in the case, the Appellant requested for

a) Reply of IOCL on 8 queries of his RTI application;
b) Copy of the illegal agreement of Rs.15 lakhs as referred in the above order.

Reply of CPIO:-

2. CPIO Shri S.C.Sharma has replied/provided the following information to the Appellant vide his letter dated 11.11.2020:-

" 1. Copy of CPIO reply dated 23.09.2015, as available in the file, with reference to your RTI application dated 24.08.2015, is enclosed. CPIO does not feel any necessity to seek any further information on these points from IOCL, since the appeal has already been disposed by the Commission.
2. Interpretation of CIC orders is not within the jurisdiction of the CPIO. However, a copy of agreement as available in the file, is enclosed.

Ground of First Appeal:-

3. In the First Appeal petition, the Appellant though not clearly mentioned, appears to be seeking further information from IOCL through FAA, CIC.

Decision with reasons:-

4. As per 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. He is also not required to interpret information or decision of CIC. Hence, the reply sent by the CPIO, CIC is factual and as per the provisions of RTI Act, 2005. Therefore, no intervention is required on behalf of the FAA in this matter.

5. The appeal is being disposed of accordingly.

C. I. C./केन्द्रीय सूचना आयोग
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Initials.....

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.

M Balimane 24/12/2020

(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Dated –24th December, 2020.

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.C.Sharma, CPIO, CIC, New Delhi.

28/12/20