

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

CICOM/A/P/20/00117
CICOM/R/P/20/00471

Name of the Appellant: Shri Omprakash Kashiram
3/16, Amol Apartments, Waldhuni,
Kalyan - 421301.

1.	Date of RTI application	15.10.2020
2.	Date of receipt of RTI application in RTI Cell	21.10.2020
3.	Date of reply of the RTI application	16.11.2020
4.	CPIO (s) who furnished reply	Shri S.C. Sharma
5.	Date of First Appeal application	21.11.2020
6.	Date of receipt of First Appeal application in the office of the FAA	17.12.2020
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:-

The Appellant has referred to the decision dated 01.10.2020 of Shri Neeraj Kumar Gupta, Information Commissioner in respect of his appeal No.CIC/CBECE/A/2019/104375. However, the information sought by him in 7 points is not specific though related to Central/ State taxes and issuing "unlawful copy of decision".

Reply of CPIO:-

2. CPIO Shri S.C.Sharma has replied to the Appellant as under vide his letter dated 16.11.2020:-

"Point No.1-7 : On perusal of your RTI, it is seen that you are asking unspecified information and also interpretation of CIC decision in respect of appeal No.CIC/CBECE/A/2019/104375. Seeking unspecified information does not fall under section 2(f) of RTI Act., and interpretation of orders / documents is also not within the jurisdiction of the CPIO. The above appeal has been disposed by the Commission, without any intervention in the matter."

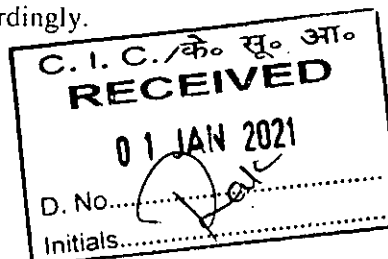
Ground of First Appeal:-

3. Information not provided by PIO, CIC.

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 S.C.Sharma, 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. He is also not required to interpret information or decision of CIC. 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 S.C.Sharma, CPIO, CIC, New Delhi. ←

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