

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

CICOM/A/P/20/00123

CICOM/R/P/20/00485

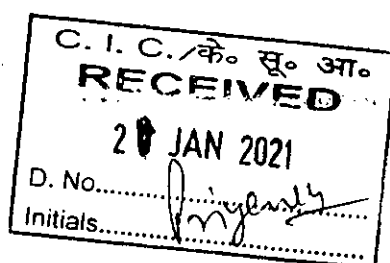
Name of the Appellant: Shri Omprakash Kashiram  
3/16, Amol Apartments,  
Waldhuni, Kalyan - 421301.

1.	Date of RTI application	29.10.2020
2.	Date of receipt of RTI application in RTI Cell	11.11.2020
3.	Date of reply of the RTI application	27.11.2020
4.	CPIO (s) who furnished reply	Shri A.K. Assija
5.	Date of First Appeal application	05.12.2020
6.	Date of receipt of First Appeal in the O/o FAA	29.12.2020
7.	Date of Decision	20.01.2021

**Brief Facts of the case:-**

1. The following are the information sought by the Appellant through his RTI application dated 29.10.2020 and the replies provided by the CPIO vide letter dated 27.11.2020.

Sl.	Information sought by Appellant	Reply provided by CPIO, CIC
1	Please provide the documents under Sec.20 of RTI Act 2005 and Sec.5(1) of RTI Act 2005 regarding the copies of appointment letters for appointment of the PIOs for the decision No. CIC/MOSPI/A/2019/161018 dated 08.10.2020 from the competent authority u/s 5(1) and Sec.20 of RTI Act 2005.	No such information is available on record as sought for by the appellant. It is informed you that after perusal of E-book of the case, a notice of hearing is served to CPIO as well as to the appellant.
2	Please provide the documents under Sec.20 of RTI Act 2005 and Sec.5(1) of RTI Act 2005 regarding the copies of appointment letters for appointment of the first appellate authority for the Decision No. CIC/MOSPI/A/2019/161018 dated 08.10.2020 from the competent authority u/s 5(1) and Sec.20 of RTI Act 2005	No such information is available on record as sought for by the appellant. It is informed you that after perusal of E-book of the case, a copy of the notice of the hearing is endorsed to the first appellate authority, for his information.
3	Please provide the documents regarding the replies from the PIO dated 30.09.2020 addressed to Central Government employee i.e. Shri AK Assiji, Dy. Registrar and same is not addressed to Applicant for reply or original RTI Application and second appeal and previous PIO reply dated 01.10.2019 are creating double statement and biased case. Copy of Reply for point No. 1 to 13 from PIO may be provided in point-wise addressed to Shri Omprakash Kashiram not Shri AK Assiji of Central Government employee. In this case, it is found that Smt. Vanaja N Sarna, Information Commissioner is involved in irregularities and corruption for issue biased order.	A copy of letter No.M-11013/1/2019-NAD-1 dated 30.09.2019 received by the Commission from Ministry of Statistics and Programme Implementation, National Statistical Office, National Accounts Division, New Delhi, is attached.



4	Please provide documents regarding Smt. Vanaja N Sarna, IC has not indicated all points from 1 to 13 in his enclosed order. In other words, the copy of rules / procedures and section of RTI Act 2005 Smt. Vanaja N Sarna. IC has issued Xerox copy of enclosed her order without indicating all points in his decision which is irregularities and full support to corruption in other meaning the order itself indicating there is corruption.	All the points have been discussed in the order.
5	Please provide the documents regarding the Commission are not use their paper head with full name/ address of commission in their numbers of order and enclosed order. In other words, the commission still not uses letter head for issue of decision and other paper they have not giving full address of commission. The documents may be provided regarding the commission is using full address in their decision, the present address is not correct i.e. Central Information Commission, Baba Gangnath Marg, Munirka, New Delhi - 110067 which is incomplete address in number of decisions.	The address of the Commission given in the Order under reference is complete i.e. Central Information Commission, Baba Gangnath Marg, Munirka, New Delhi - 110067.
6	Copy of exemption for PIO for not indicating their name in place of enclosed order i.e. Omprakash Kashiram Vs. CPIO of enclosed CIC Decision may be provided.	No such information is available on record.
7	Copy of exemption for issue of Xerox copy of order in place of original copy of order issued by Smt. Vanaja N Sarna, IC in enclosed order.	No such information is available on record.
8	Copy of exemption for not signed enclosed order by all 11 commissioners including Chief Information Commissioners on indication by Smt. Vanaja N Sarna, IC in decision Para of enclosed order where he explained. This commission finds that the respondent had addressed all the points of the RTI Application and therefore no action is called for.	The order issued by the Information Commissioner, is referred to as the Order issued by the Commission. All the Commissioners do not sign the Order issued by the Commission. A copy of the Order certified by the concerned Dy. Registrar is sent to the parties to the case.
9	Copy of comply provision of RTI Act 2005 for not indicated orders of FAAs. In other words copy of exempted for not comply of order from FAA for issue of hard copy of reply to Applicant in point-wise.	No such information is available on record.
10	Copy of exemption for not signed order with blue pen by Smt. Vanaja N Sarna, IC and same original order not issued to Shri Omprakash Kashiram for his second appeal, may be provided for avoiding the cheating and fraud to the public of India for issue of bogus/ unlawful order.	Copy of the Order certified by the Dy. Registrar of the concerned Registry is sent to the parties. However, one more copy of the Order, duly signed by the Dy. Registrar is attached. Moreover, you may see the Order certified by the concerned Dy. Registrar is sent to the parties to the case.
11	Copies of exemption for not issue hard copy of reply for point wise from point no. 1 to 13 may be provided u/s 5(1) of RTI Act 2005 for reducing GDP from 7% to 5% and this is corruption and irregularities.	No such information is available on record.
12	Copies of provisions under which PIOs are issue revised orders after lapse of 30+30 days and completion of hearing of second	No such information is available on record.

	appeal addressed in name of central government employee Shri AK Assiji.	
13	Point wise reply is coming u/s 2(f) of RTI Act 2005 as per the enclosed decision of Smt. Vanaja N Sarna, IC may be provided. Please provide the documents some stories narrated by PIOs are coming in sec.2(f) of RTI Act 2005. The names of documents for point no.1 to 13 may be provided which is coming under revised replies of CPIOs as indicated in enclosed order.	No such information is available on record.
14	Name of commissioner is/are not signed and issue enclosed order with blue pen and issued Xerox copy.	Copy of the Order certified by the Dy. Registrar of the concerned Registry is sent to the parties. However, one more copy of the Order, duly signed by the Dy. Registrar is attached.

### Ground of First Appeal:-

- Information not provided by PIO, CIC, New Delhi.

### 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 A.K.Assija, 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.

(Meena Balimane Sharma)  
First Appellate Authority  
Tel: 26162290

Dated : 20<sup>th</sup> January, 2021.

Copy to:-

- CPIO, RTI Cell, CIC, New Delhi.
- Shri A.K.Assija, CPIO, CIC, New Delhi.

*Handwritten signature and date:*  
21/1/21  
- Ranu  
21/1/21