

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

CICOM/A/P/21/00006  
CICOM/R/P/20/00483

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

1.	Date of RTI application	30.10.2020
2.	Date of receipt of RTI application in RTI Cell	09.11.2020
3.	Date of reply of the RTI application	02.12.2020
4.	CPIO (s) who furnished reply	Shri S.C.Sharma
5.	Date of First Appeal application	13.12.2020
6.	Date of receipt of First Appeal in the office of FAA	07.01.2021
7.	Date of Decision	05.02.2021

**Brief Facts of the case:-**

1. The Appellant, through his RTI application, has referred the Commission's decision No.CIC/MOPNG/A/2019/100316 dated 16.10.2020 and requested to provide -

1. Copies of appointment letters appointing PIOs in the case of the above decision.
2. Copies of appointment letter appointing FAA in the case of the decision.
3. Copy of reply from the PIO. MONPG regarding roll of MONPG or duties allocation of MONPG is coming under clarification, even Shri Neeraj Kumar Gupta is autonomous body and he is replied on behalf of PIO in the said decision and the Commissioner is not knowing aims of RTI Act 2005.
4. Document regarding Shri Neeraj Kumar Gupta has not indicated all points from 1 to 12 in his said order.
5. Document regarding Commission is not using paper head with full name/address of Commission.
6. Copy of exemption for PIO for not indicating their name in the CIC decision.
7. Copy of exemption for issue of Xerox copy of order in place of original copy of the decision issued by Shri Neeraj Kumar Gupta.
8. Copy of exemption for not signing the Decision by all 11 commissioners including Chief IC.
9. Copy of comply provision of RTI Act 2005 for not indicating orders of FAAs.
10. Copy of exemption for not issuing original signed order with blue pen by Shri Neeraj Kumar Gupta.
11. Copies of exemption for not issuing Bills of lading for import of Brent crude oil.
12. Copies of provisions under which PIOs issue revised orders after lapse of 30+30 days and completion of hearing of second appeal.
13. The names of documents for points-1 to 12 may be provided, including the revised replies of CPIOs issued as per the said decision.
14. Name of Commissioners who are issuing decisions without signing with blue pen.

**Reply of CPIO:-**

- II. CPIO Shri SC Sharma has replied to the RTI application as under:-

**Point-1&2:** Information sought is not specific.

**Point-3,4&5:** Interpretation of orders/documents is not within the jurisdiction of the CPIO.

**Point-6-13:** Interpretation of orders/documents etc is not within the purview of the CPIO. The information sought is also not specific. The applicant may inspect the available file in respect of appeal no. CIC/MONPG/A/2019/100316, on any working day by mutually agreed date and time.

**Point-14:** No. Information sought is not specific."

**Ground of First Appeal:-**

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

**Decision with reasons:-**

IV. 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. However, the CPIO has suggested seeking specific documents after inspection of available file of the instant case. Therefore, no intervention is required on behalf of the FAA in this matter.

- V. The appeal is being disposed of accordingly.

VI. 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 - 5<sup>th</sup> February, 2021.

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.

2. Shri S.C.Sharma, CPIO, CIC.

*Meena Balimane*  
05/2/2021  
(Meena Balimane Sharma)  
First Appellate Authority  
Tel: 26162290

C. I. C. / के. सू. आ.  
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