

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

CICOM/A/P/21/00032  
CICOM/R/P/20/00559

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

1.	Date of RTI application	29.11.2020
2.	Date of receipt of RTI application in RTI Cell/CPIO	18.12.2020
3.	Date of reply of the RTI application	22.12.2020
4.	CPIO (s) who furnished reply	Shri S.C. Sharma
5.	Date of First Appeal application	25.01.2021
6.	Date of receipt of First Appeal in the office of FAA	18.02.2021
7.	Date of Decision	18.03.2021

**I. Brief Facts of the case:-**

The information sought by the RTI Applicant, with reference to CIC order No. CIC/CCUMI/A/2019/104378 dated 09.11.2020, and point-wise reply by Shri S.C. Sharma, CPIO are as under.

Sl.	Information sought by Applicant	Reply given by CPIO-CIC
1	Copies of notices issued to third parties mentioned in the above CIC order, duly attested by PIO with name and designation.	The information is not available in the file available in CIC.
2	Copies of replies received from third parties for notices issued to third parties wherein they mentioned that the information is exempt u/s 8(1)(d) & 8(1)(j) of the RTI Act 2005.	
3	Documents received after inquiry/investigation u/s 18(3)(a) to (f) of RTI Act 2005 for the above decision, duly attested by PIO with name and designation.	The queries raised in points 3 to 6 are in the nature of clarification, which the CPIO is not supposed to interpret. Any specific information, if sought shall be provided.
4.	Documents received after inquiry/investigation u/s 18(3)(a) to (f) of RTI Act 2005 for the decision No.CIC/HPCLD/A/2019/105585 dated 26.10.2020, duly attested by PIO with name and designation.	
5	Documents received after inquiry/investigation u/s 18(3)(a) to (f) of RTI Act 2005 for the decision No.CIC/IOCLD/A/2019/105360 dated 26.10.2020, duly attested by PIO with name and designation.	
6	Documents received after inquiry/investigation u/s 18(3)(a) to (f) of RTI Act 2005 for the decision No.CIC/IOCLD/A/2019/105229 dated 23.10.2020, duly attested by PIO with name and designation.	

**II. Grounds for First Appeal:-**

Information not provided by PIO, CIC, New Delhi.

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**III. Decision with reasons:-**

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.

IV. The appeal is being disposed of accordingly.

V. 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*  
**(Meena Balimane Sharma)**  
**First Appellate Authority**  
**Tel: 26162290**

Dated – 18<sup>th</sup> March, 2021.

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.C.Sharma, CPIO, CIC. *18/3/2021*

*18/3/21*