

CENTRAL INFORMATION COMMISSION

CIC Bhavan, Baba Gangnath Marg.

Munirka, New Delhi – 110 067

CICOM/A/P/21/00037

CICOM/R/P/21/00036

Name of the Appellant: Shri Siba Sankar Patro
K.Nuapalli, Debabhumi
Ganjam, Odisha - 761135

1.	Date of RTI application	07.01.2021
2.	Date of receipt of RTI application in RTI Cell/CPIO	14.01.2021
3.	Date of reply of the RTI application	29.01.2021
4.	CPIO (s) who furnished reply	Shri R.K. Rao
5.	Date of First Appeal application	05.02.2021
6.	Date of receipt of First Appeal in the office of FAA	18.02.2021
7.	Date of Decision	19.03.2021

I. Brief Facts of the case:-

While referring to the Commission's decision No.CIC/POSTS/A/2018/172386 the applicant had asked for the following information.

1. Attested copy of the reply by the then CPIO Shri B.B.Negi to the Show Cause Notice of the CIC, New Delhi, in captioned case.
2. Attested copy of the note taken by the FAA on the non-compliance of order. against the then CPIO Shri B.B.Negi as per order of the CIC, New Delhi, in captioned case.

II. Shri R.K.Rao, CPIO, CIC has given the following reply.

- "1. No reply has been received on Show-cause Notice by the Commission from the then CPIO, Shri B.B.Negi in file No.CIC/posts/a/2018/172386
2. No reply has been received by the Commission from the FAA."

III. Ground of First Appeal:-

The Appellant requested to pass necessary speaking order for revelation of desired information on Query No. 1&2 of his RTI application.

IV. Decision with reasons:-

On perusal of the First Appeal petition, RTI application and reply given by the CPIO, it is observed that the reply given by Shri R.K.Rao, CPIO, CIC is as per the provisions of the RTI Act 2005.

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. Therefore, no intervention is required on behalf of the FAA in this matter.

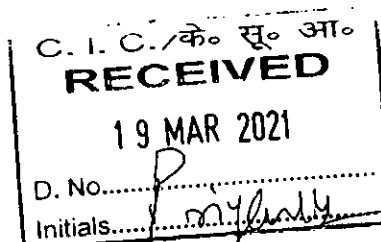
V. The appeal is being disposed of accordingly.

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 – 19th March, 2021.

Copy to:-

1. CPIO, RTI Cell, CIC.
2. Shri R.K. Rao, CPIO, CIC.



19/03/2021
(Meena Balimane Sharma)
First Appellate Authority
Tel: 011-26162290