

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

CICOM/A/P/21/00040

CICOM/R/P/21/00057

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

1.	Date of RTI application	05.01.2021
2.	Date of receipt of RTI application in RTI Cell/CPIO	15.01.2021
3.	Date of reply of the RTI application	27.01.2021
4.	CPIO (s) who furnished reply	Shri Ram Kumar
5.	Date of First Appeal application	09.02.2021
6.	Date of receipt of First Appeal in the office of FAA	01.03.2021
7.	Date of Decision	22.03.2021

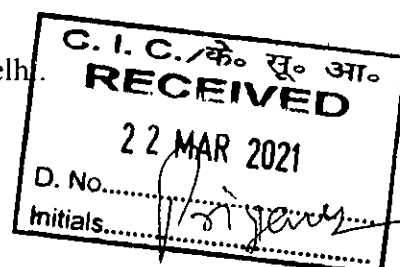
Brief Facts of the case:-

- I. The information sought by the RTI Applicant and point-wise reply by Shri Ram Kumar, CPIO are as under.

Sl.	Information sought by Application	Reply given by CPIO-CIC
1	Provide documents duly attested by PIO with name and designation of Commission u/s 2(h) of RTI Act 2005 regarding all Acts of Parliament related with agriculture are signed by M/o Agriculture and NITI Aayog after passed/ approved by both houses of Parliament in place of the President of India.	No such information is on the record of this Commission.
2	Provide documents for point No.6 of RTI Application dated 05.10.2020 is pertaining to Appellate Authority, M/o Agriculture and NITI Aayog as per the Commission's letter No.140964 dated 28.12.2020 & No.138620/2020 dated 09.12.2020.	No such information is on the record of this Commission.
3	Name of Central Government officer working as Deputy Registrar for letter No.14096/2020 dated 28.12.2020 may be provided with his initial appointment letter.	You have raised this question on earlier occasion too and it has amply clear to you that name of DR (CR-1) who signed the FM is available in public domain (www.cic.gov.in).
4	Name of Central Government officer working as Deputy Registrar for letter No.138620/2020 may be provided.	
5	Commission returned second appeal dated 28.11.2020 on the parameters or procedures. Provide copy of procedures and parameters.	It is clarified that the 2 nd appeal dt. 28.11.2020 was returned with FM dt. 09.12.2020 (Diary No.138620/2020) which is self-explanatory. The first appeal is required to be filed against FAA of the Public Authority wherein RTI application had finally been transferred/filed.

II. Grounds for First Appeal:-

Information not provided by PIO, CIC, New Delhi.



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 Ram Kumar, CPIO, CIC is 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. 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.

MBalimane
22/3/2021
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Dated – 22nd March, 2021.

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Shri Shri Ram Kumar, CPIO, CIC.
3. Shri Krishan Avtar Talwar, DR & CPIO (CR-I), CIC

Recd
22/3/21
Shri
22/3/21