

CENTRAL INFORMATION COMMISSION

CIC Bhawan, Baba Gang Nath Marg,

Munirka, New Delhi – 110 067

CICOM/A/P/21/00043

CICOM/R/P/20/00582

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

1.	Date of RTI application	18.12.2020
2.	Date of receipt of RTI application in RTI Cell/CPIO	30.12.2020
3.	Date of reply of the RTI application	04.01.2021
4.	CPIO (s) who furnished reply	Shri S.K.Chitkara
5.	Date of First Appeal application	07.02.2021
6.	Date of receipt of First Appeal in the office of FAA	01.03.2021
7.	Date of Decision	22.03.2021

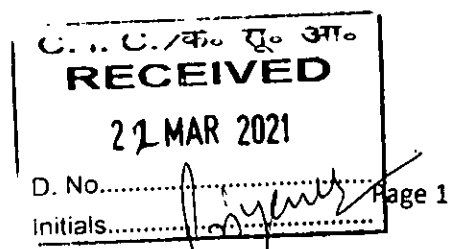
Brief Facts of the case:-

- I. The information sought by the RTI Applicant, with reference to CIC decision No. CIC/BARCM/A/2019/104141 dated 04.12.2020, and point-wise reply by Shri S.K. Chitkara, CPIO are as under.

Sl.	Information sought by Application	Reply given by CPIO-CIC
1	Copy of appointment letter nominating PIO for the above second appeal decision.	The information sought by you is not available in Central Information Commission.
2	Provide document regarding the reasons for not indicating name of PIO in the above CIC decision.	Information sought is in the form of query and the same does not fall within the meaning of information as defined in Sec.2(f) of RTI Act 2005.
3	Provide documents regarding the information total number of scientists working in BARC, Mumbai for replacement or appointment of Chief Administrative Officers in all BARC in place of Scientists as per above CIC decision.	The information sought by you is not available in Central Information Commission.
4	Provide documents regarding all technical documents are maintaining by the Chief Administrative Department in BARC.	The information sought by you is not available in Central Information Commission.
5	Copy of exemption for not signing order by Shri Y.K. Sinha, CIC in blue pen and issued Xerox copy which is not valid which indicate Sd/-	Information sought is in the form of query and the same does not fall within the meaning of information as defined in Sec.2(f) of RTI Act 2005.
6	Provide copy of appointment letter nominating Shri Sriram S, PIO and he is part of autonomous body of BARC.	The information sought by you is not available in Central Information Commission.

II. Ground of First Appeal:-

Information not provided by PIO, CIC, New Delhi.



III. FAA 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.K.Chitkara, 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. 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
22/03/2021
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

Dated – 22nd March, 2021.

Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.
2. Shri S.K.Chitkara, CPIO, CIC.

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