

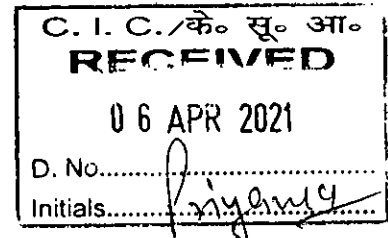
Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi - 110 067

CICOM/A/P/21/00052

CICOM/R/P/20/00551

Name of the Appellant:

Wg Cdr V Ronald Levis
Accounts Section
Air Force Station Hakimpet
Secunderabad
Telangana - 500014



1.	Date of RTI application	27.11.2020
2.	Date of receipt of RTI application in RTI Cell/CPIO	16.12.2020
3.	Date of reply of the RTI application	07.01.2021
4.	CPIO (s) who furnished reply	Shri A.K.Assija
5.	Date of First Appeal application	25.02.2021
6.	Date of receipt of First Appeal in the office of FAA	09.03.2021
7.	Date of Decision	05.04.2021

I. Brief Facts of the case:-

The applicant sought information with regard rule position copies under which he was not granted and denied the compensation by the Information Commissioner vide Order No.CIC/IAIRF/A/2017/150300/SD dated 25.07.2018. The information sought and the reply/information of Shri A.K.Assija are as under.

Sl.	Information sought by Applicant	CPIO Reply
I)	As per Appeal I was entitled for receipt of penalty amount from CPIO and First Appellate Authority for delay in replying me beyond time frame of RTI Act 2005. The CIC Information Commissioner has not looked into the matter of delayed reply by CPIO and First Appellate Authority at the time of hearing and has not granted me the appropriate compensation for delay period of replies.	The order issued by the Commission is final and Commission has no power to review its own order. However, if you are aggrieved with the Order of the Commission, you may approach the appropriate legal forum for relief.
II)	It is requested to give the rule position copies under which I was not granted and denied the compensation for delayed reply period by the Information Commissioner even after providing the factum proofs of delay in my appeal application.	Compensation, if any, is awarded by the Information Commissioner in its Order. No compensation has been awarded in this case. No further information is available in this regard.
III)	What is the rule position procedure for claiming such compensation now or awarding compensation by the CIC.	As stated in para (I) above, if you are aggrieved with the Order of the Commission, you may approach the appropriate legal forum for relief.

II. Grounds for First Appeal:-

The appellant stated that his RTI application reached CPIO office on 09.12.2020 and not on 16.12.2020 as claimed by CPIO. He appealed to provide rule position copies as requested in RTI application.

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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 information given by the CPIO 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.

Dated -- 05th April, 2021.

Copy to:-

1. CPIO, RTI Cell, CIC.
2. Shri A.K.Assija, CPIO, CIC.

M. Balimane
05/4/2021
(Meena Balimane Sharma)
First Appellate Authority
Tel: 26162290

AW
06/04/21
06-04-2021