



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

CICOM/A/P/24/00084

CICOM/R/P/24/00230

Name of the Appellant: Smt. Satya Pal Singh Nagar

S/O Sh. Ramp Lal,
R/o C-3/152, Yamuna Vihar,
Delhi - 110058

1.	Date of RTI application	19.05.2024
2.	Date of receipt of RTI application in RTI Cell of CIC	28.05.2024
3.	Date of reply of the RTI application	28.05.2024
4.	CPIO (s) who furnished reply	Sh. S.K.Chitkara (DR to CIC)
5.	Date of First Appeal application	03.06.2024
6.	Date of First Appeal application received in the office of FAA	18.07.2024
7.	Date of Decision	16.08.2024

Brief Facts of the case:-

1. The Appellant has attached details of with his RTI Application and sought the following information: -

- “1. Please provide the daily progress made on my application.
2. Please give the names and designation of the officials with whom my application was lying during this period. Please intimate the period when it was lying with which officer and what was the action taken by that official during that period.
3. Please give the proof of receipt and dispatch of my application in the office of each of these officials.
4. According to your rules – or- citizens charter or any other order in how many days should such a matter dealt with and resolved. Please provide a copy of these rules.

5. The above officials have not adhered to the time limit mentioned in these rules. Are these officials guilty of violating these rules and hence guilty of misconduct under their conduct rules. Please give a copy of their conduct rule, which they have violated by violating the above mentioned rule.

6. These officials have caused serious mental injury to me by making me run around all this while. Are these officials guilty of causing mental harassment to the public?

7. What action can be taken against these officials for violating all the above rules and for causing mental agony to the public? By when this action would be taken?

8. By when will my problem be resolved now?

9. Permission may please be grant to go before the Court of Law?"

Reply of CPIO:-

2. "Point 1. - Your application for Second Appeal has been registered with us and listed for hearing in due course, first come first serve basis.

Point 2. - Available in public domain at <https://dsscic.nic.in/cause-list-report-web/view-decision/1> .

Point 3. - As per tracking, application was delivered.

Point 4. - No such information as available. RTI appeal/complaint is listed for based on the date of receipt in the Commission.

Point 5,6,7,8 & 9 - Sought information does not fall under the purview of section 2(f) of RTI Act 2005."

Ground of First Appeal:-

3. Aggrieved with the reply of CPIO, the Appellant has filed First Appeal and stated that:

"That the Ld. PIO subsequently handed over to me incomplete/misleading and false information with the covering letter no Nill dated Nill posted & received on dated Nill. But para wise reply as per RTI act 2005 u/s 7 (1) (9) and as per information seeker did not provide.

It is prayed that the Ld. CPIO may kindly be asked to supply the information free of cost and Ld. CPIO may kindly apprised of the limitations of their Jurisdiction while denying the information as CPIO stated earlier have little choice."

Decision with reasons:-

4. On perusal of the Appeal, RTI application and reply of the CPIO, it is observed that the information given by the CPIO is as per provisions of the RTI Act, 2005 As per Section 2(f) of the 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 collate information that is not a part of the record. Accordingly, the reply given by the CPIO is appropriate and as per the provisions of the RTI Act, 2005. Hence, no intervention is required on behalf of the FAA in this matter. The appeal is disposed of accordingly.

5. The appeal is being disposed of accordingly.

6. 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 – 16.08.2024



(Brig. Vipin Chakrawarti)
Registrar & First Appellate Authority
Tel: 011-26105021

Copy to:-

1. **CPIO, RTI Cell, CIC, New Delhi for information.**