



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

CICOM/A/P/24/00125

CICOM/R/P/24/00415

Name of the Appellant: Sh. Prasant Basu Ray

1.	Date of RTI application	24.09.2024
2.	Date of receipt of RTI application in RTI Cell of CIC	30.09.2024, 09.10.2024 & 15.10.2024
3.	Date of reply of the RTI application	15.10.2024
4.	CPIO (s) who furnished reply	Col S S Chhikara CPIO (DR to AR), Smt Suman Bala CPIO (RTI Cell) & Sh Chandan Kumar, CPIO (So Admn)
5.	Date of First Appeal application	21.10.2024
6.	Date of First Appeal application received in the office of FAA	04.11.2024
7.	Date of Decision	09.12.2024

**1. Brief Facts of the case:-**

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

“1. (a) – Please refer to order of Hon’ble IC A.Ramlingam dt 22.07.2024 against – file No. CIC/BKON/A/2023/116385.

The present status of show cause notice issued to the CPIO.

(b) - The certified copy of reply (if any) given by the CPIO.

(c) – The action taken after receiving the reply.

2. Appointment of more ICs if any under process.
3. Any missive referred to GOI by CIC for appointment of more ICs. If any please provide me a copy to that one.
4. Total numbers of pending cases at CIC at present. From which year now cases are pending.
5. Frequency of hearing cases at present.

## **2. Reply of CPIO's:-**

“Reply on point 1 (a) to (c):- The information being asked in the said point pertains to third party information and same cannot be provided and the same is debarred as per section 8 (1) (j) of RTI Act 2005.

Point no 2 & 3: - No such information is available in this section.

Point no. 4 – You may refer to MIS Reports which is available in CIC's website link <https://cic.gov.in/mis-reports>

Point no. 5 – You may refer to Cause List of CIC which is available in CIC's Website link <https://dsscic.nic.in/cause-list-report-web/registry-cause-list/1>.”

## **3. Ground of First Appeal:-**

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

“1. Reply of CPIO is unsatisfactory and unexpected

2 a Query 1a, b, c – This emerged from file No. CIC/BKON/A/2023/116385 which pertains to my appeal/complaint. So I have right to know the end of decision.

2 b. But, CPIO being oblivious about the fact, misapplied Sec 8 and hid transparency which is inconceivable from a CPIO of the highest institute of RTI Act.

2. Query 2,3,4,5 – CPIO remained silent without spending a single word.

3. To Direct CPIO to provide all information as requested.

4. To direct CPIO to be more careful and meticulous to protect dignity of the venerated CIC.”

## **4. Decision of First Appellate Authority**

The subject First Appeal is being disposed by both the First Appellate Authorities i.e. Additional Secretary, CIC and Registrar, CIC as the First Appeal pertains to CPIO's of both First Appellate Authorities.

### **For Point No. 1 (a), (b), (c), 4 & 5 (Registrar & FAA)**

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. Therefore, no further intervention is required on the part of FAA in the matter.

### **For Point No. 2 & 3 (AS & FAA)**

The First Appeal, RTI application and reply given by CPIO of CIC have been perused.

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.

Central Information Commission is not the appointing authority of Information Commissioners.

Accordingly, the reply given by the CPIO is appropriate and as per provisions of the RTI Act, 2005. Hence, no intervention is required on behalf of the FAA in this matter.

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 – 09.12.2024**

  
(Brig. Vipin Chakrawarty)  
Registrar & First Appellate Authority  
Tel : 26105021

  
(Roop Avtar Kaur)  
Additional Secretary & FAA  
Tel: 011-26162290

**Copy to:-**

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

(S) 09/12/24

o/c

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