



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

CICOM/A/P/24/00131

CICOM/R/P/24/00407

Name of the Appellant: Sh. Narayan Chandra Behera

1.	Date of RTI application	17.09.2024
2.	Date of receipt of RTI application in RTI Cell of CIC	25.09.2024
3.	Date of reply of the RTI application	26.09.2024, 30.09.2024 & 10.10.2024
4.	CPIO (s) who furnished reply	Sh.S.K.Chitkara CPIO, (DR to CIC), Sh. S. Anantharaman CPIO (DR to IC VT) & Col. S.S.Chhikara CPIO (DR to AR)
5.	Date of First Appeal application	18.10.2024
6.	Date of First Appeal application received in the office of FAA	13.11.2024
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: -

“(i) Kindly Provide the Information in respect of the CIC’s last Action taken, in “Certified copy from” to the 10.10.2023 WRITTEN COMPLAINT, bearing Diary No 141055 of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, New Delhi – 110062, in respect of the Non – Compliance of Order of the Hon’ble CIC, New Delhi 67, by Respondent CPIO, in 2nd Appeal No. CIC/MLABE/A/2021/126836, Order date being 20.09.2022.

(ii) Kindly Provide the Information in respect of the CIC's last Action taken, in "Certified copy from" to the 16.08.2023 WRITTEN COMPLAINT of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, New Delhi – 110062, in respect of the Non – Compliance of Order of the Hon'ble CIC, New Delhi – 67, in 2nd Appeal No. CIC/OTCLC/A/2020/128498 – UM, ORDER dated being 16.11.2021.

(iii) Kindly Provide the Information in respect of the CIC's last Action taken, in "Certified copy from" to the 26.06.2023 WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, New Delhi – 110062, bearing Dy. No. 127748, in respect of the Non – Compliance of Order of the Hon'ble CIC, New Delhi – 67, in 2nd Appeal No. CIC/MOPNG/A/2021/149306, ORDER dated being 27.03.2023.

(iv) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 19.12.2022 WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.159141, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/GNCTD/A/2022/107556 – UM, Order date being 09.11.2022.

(v) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 19.02.2024 WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, in respect of the Non- Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/GNCTD/A/2022/124721 – UM, Order date being 23.12.2022.

(vi) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 19.02.2024's WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.105158, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/OOCMD/A/2022/124717 – UM, Order date being 23.12.2022.

(vii) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 19.02.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.105159, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/OTDCM/A/2022/127573– UM, Order date being 30.01.2023.

- (viii) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 16.06.2023s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.126582, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO, in 2nd Appeal No. CIC/OTCLC/A/2019/150051–UM, Order date being 30.07.2021.
- (ix) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 16.02.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.105046, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/LBDPD/A/2022/148372–UM, Order date being 23.08.2023.
- (x) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 26.02.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.105045, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/CICOM/A/2022/149064 –UM, Order date being 26.02.2024.
- (xi) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 16.02.2024's Second REMINDER of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.105045, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/LBDPD/A/2022/155129–UM, Order date being 23.08.2023.
- (xii) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 19.02.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.114981, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/LBDPD/A/2022/155347–UM, Order date being 28.08.2023.
- (xii) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 16.02.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No.114981, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/LBDPD/A/2022/153183–UM, Order date being 23.08.2023.

(xiii) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 20.06.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, by Speed Post, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/GNCTD/A/2023/101205, date being 08.05.2024.

(xiv) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 20.06.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, by Speed Post, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/LBDPD/A/2023/119969, Order date being 08.05.2024.

(xv) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 14.05.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, bearing Dy. No. 114982, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/LTGSE/A/2023/125525, Order date being 08.12.2023.

(xvi) Kindly provide the information of the CIC's last Action taken, in "Certified Copy form" to the 21.08.2024s WRITTEN SUBMISSION of Sh. Narayan Chandra Behera, B – 382, Dakshinpuri, Ambedkar Nagar, and New Delhi – 110062, by Speed Post, in respect of the Non-Compliance of Order of the Hon'ble CIC, New Delhi – 67, by the Respondent CPIO/PIO, in 2nd Appeal No. CIC/GNCTD/A/2023/144826, Order date being 08.12.2023."

2. Reply of CPIO's:-

"Point No. 1. – Complaint bearing diary number 141055 has been linked to file no. CIC/MLABE/A/2021/126836.

Point No. 2. – The second appeal number indicated by you in the RTI application is wrong. It is CIC/MLABE/A/2020/128498. You're non-compliance complaint has been closed. In this regard, a copy of letter dated 16.08.2022 already sent to be enclosed.

Point 3. – Written submission bearing diary number 127748 has been linked to file no. CIC/MOPNG/A/2021/149306.

Point iv). – 159141/19.12.2022 No action has been taken.

Point v). – 105160/19.02.2024 No action has been taken.

Point vi). – 105158/19.02.202 No action has been taken.

Point vii) – 105159/19.02.2024 No action has been taken.
Point ix) – 105064/16.02.2024 No action has been taken.
Point xi) – 105045/16.02.2024 No action has been taken.
Point xii) – 114981/14.05.2024 No action has been taken.
Point xiii) – 105044/16.02.2024 No action has been taken.
Point xiv) – 119826/20.06.2024 No action has been taken.
Point xv) – 114982/14.05.2024 Action has been taken on 29.07.2024(copy enclosed).
Point xvi) – 127196/21.08.2024 A letter no. CIC/GNCTD/A/2023/144826 dated 18.06.2024 (copy enclosed) was sent to the PIO, concerned calling for a reply against your request letter diarized vide no 100668 dated 05.01.2024. Since, the contents of Dy. No 127196 dated 22.08.2024 and Dy. No. 100668 dated 05.01.2024 were same, no action on Dy. No. 127196 and 22.08.2024 is warranted.
Point xv) – Case has already been heard and dismissed on 23.02.2024.

3. Ground of First Appeal:-

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

“That till this Appeal date, No Information has been provided by the “Competent CPIO” of the CIC, New Delhi 67, in the desired “Certified Copies form” which were Sought for, through the afore RTI Application on 16 specific points, except the irrelevant nature Pieces of Information Supplies by some other Officials of the CIC, New Delhi 67, which can be evidenced from the enclosed Copies of Letters to this Ist Appeal in question, & through these issued Letters, 2 Officials have the “Commonality nature advices in Writing” sending to this RTI Application to Approach to the Ist Appellate Authority to the CIC, is not satisfied.

4. Decision with reasons:-

The First Appeal, RTI application and reply given by CPIO's 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. 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



Registrar & First Appellate Authority
Tel: 011-26105021

Copy to:-

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

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09/12/24

o/c

C. I. C. / के. सू. आ.
RECEIVED
09 DEC 2024
D. No.
Initials.