



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

CICOM/A/P/24/00132

CICOM/R/P/24/00428

Name of the Appellant: Sh. T.C. Arora

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1.	Date of RTI application	07.10.2024
2.	Date of receipt of RTI application in RTI Cell of CIC	11.10.2024
3.	Date of reply of the RTI application	27.10.2024
4.	CPIO (s) who furnished reply	Sh.S.Anantharaman CPIO, (DR to IC VT)
5.	Date of First Appeal application	14.11.2024
6.	Date of First Appeal application received in the office of FAA	22.11.2024
7.	Date of Decision	13.12.2024

1. Brief Facts of the case:-

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

- 1.) Status of my appeal dated 03.09.2022 requesting for hearing of second diarized in the Hon'ble Commission on 25.10.2021 vide No. 145481
- 2.) Status of my appeal dated 16.09.2022 addressed to me Hon'ble Chief Information Commissioner since while issuing order vide No. CIC/DIRED/A/2021/145481 – UM dated 12.09.2022, the Hon'ble Information Commissioner had not mentioned particulars of the "Appropriate Forum" to approach as advised therein. Moreover, the order was issued relying upon unconceivable hearsay of the PIO instead of considering and critically examining my detailed second appeal, as per established procedure, with

reference to a good number of unchallenged supporting relevant documents attached therewith.

- 3.) Photocopy of order of First Appellate Authority supposed to have issued in response to my first appeal dated 14.10.2020. (Annexure 'A') – page 8-12 of the aforesaid undated second appeal.
- 4.) Details of the documents supposed to have been submitted by the PIO before the Hon'ble Information Commissioner on the date of hearing i.e. 01.09.2022 and I would also like to inspect.
- 5.) Para by para reply in response to my representation dated 24.01.2018 addressed to the Public Grievances Commission, of NCT of Delhi (Annexure No 17 attached with my second appeal refer to above.) supposed to have been furnished by the respondents.
- 6.) Status of my appeals dated 03.08.2022 and 18.04.2023 inter alia requesting therein to impose hefty penalty on the respondents.
- 7.) Status of my appeal dated 14.08.2023, 01.02.2024 and reminders dated 02.02.2024 and 17.04.2024 regarding compliance of Hon'ble Commission's order No. 2022/132314 dated 28.04.2023 regarding inspection of documents, but not complied with by the respondents despite my personal visits.
- 8.) Status of my letters dated 11th & 30th May and 17th June, 2023 addressed to the Deputy Director of Education, District Central and copies duly endorsed to the Hon'ble Commission regarding compliance of above dated 28.04.2023, but not complied with the District Office.
- 9.) Status of my letter dated 03.08.2022 highlighting therein relevant part of the judgement dated 13.04.2018 of the Hon'ble Supreme Court in case of Shiva Nand Jha V/s Union of India directing the authorities to reimburse the medical claims within one month on their and also requested the Hon'ble Commission to impose hefty punishment on the PIO as well as the FAA for non-compliance its orders from time to time that amounts to disregard and disobedience of the constitutional authority and attracts contempt of court as well. (Details of second appeal not complied with is attached)

I am very much tired and sorry that have no option left with me except to seek information under RTI Act, because even after waiting for prolonged time action taken on the above communication, specifically requesting for hearing and imposing penalty on the PIO as well as the FAA has not yet been conveyed to me by the Hon'ble Commission despite repeated requests.

2. Reply of CPIO's:-

“Point 1. - No action was taken.

Point 2. – Your appeal dated 16.09.2022 is not available in the records.

Point 3. – Not available in our records.

Point 4. – No document was submitted by PIO before the hearing of the matter.

Point 5. – Not available in our records.

Point 6. - No action was taken.

Point 7. – No action was taken on your letter dated 14.08.2023. However, a letter No. CIC/DIRED/A/2022/132314 dated 16.07.2024 (enclosed) was sent to the CPIO, O/o the DDE, District Central/New Delhi in response to your letter dated 02.01.2024, 02.02.2024 and 17.04.2024.

Point 8. - No action was taken.

Point 9. – No action was taken.

3. Ground of First Appeal:-

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

“Kindly refer to reply furnished by Shri S.Anantharaman, Deputy Registrar, vide his letter no. CICOM/R/P/24/00428 and 27.10.2024 (received by me on 04/11/2024) in response to my application dated 07.10.2024 seeking certain information and RTI Act. In this context it is stated that I am not satisfied with the reply being evasive, and inconclusive reason as under (please see the file.)

4. Decision with reasons:-

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.

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 – 13.12.2024



Registrar & First Appellate Authority
Tel: 011-26105021

Copy to:-

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

Shalini
16/12/24

o/c

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