



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

CICOM/A/P/24/00143

CICOM/R/P/24/00501

Name of the Appellant:

Smt. Swaran Lata Malhotra

16222)

1.	Date of RTI application	19.11.2024
2.	Date of receipt of RTI application in RTI Cell of CIC	22.11.2024
3.	Date of reply of the RTI application	27.11.2024
4.	CPIO (s) who furnished reply	Sh. S.K.Chitkara, CPIO (DR to CIC)
5.	Date of First Appeal application	09.12.2024
6.	Date of First Appeal application received in the office of FAA	11.12.2024
7.	Date of Decision	03.01.2025

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

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

- “1.) whether the aforesaid complaint dated 10.09.2024 sent by the undersigned by way of Speed Post-dated 12.09.2024 was received in the registry of Hon’ble Central Information Commission? Kindly clarify.
- 2.) If the answer to Q. No 1 is Yes, Kindly provide Diary Number.
- 3.) Whether show cause notice or any other notice (s) issued to Respondent against aforesaid Second Appeal File No. CIC/DEPOL/A/2023/124763? Kindly clarify.
- 4.) If the answer to Q. No. 3 is YES, Kindly provide copy of the same.
- 5.) If the answer to Q. No 3 is NO, kindly provide the reason (s).
- 6.) Whether penalty imposed to Respondents against aforesaid Second Appeal File No CIC/DEPOL/A/2023/124763? Kindly clarify.
- 7.) If the answer to Q. No. 6 is YES, Kindly provide copy of the same.
- 8.) If the answer to Q. No 6 is NO, Kindly provide the reason (s).

### 2. Reply of CPIO’s:-

Reply on point 1.): - Yes.

Point no 2.) - Diary No. is 129723 dated 13.09.2024.

Point no 3.) - No.

Point no 4.) – Not available in view of point 3 above.

Point no 5.) – Reasons are not available on record.

Point no 6.) – No.

Point no 7.) – Not available in view of point 6 above.

Point no 8.) – Reasons are not available on record.

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

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

“In the interest of justice, please direct PIO to obey the directions and precedent of Hon'ble Courts as mentioned in my RTI Application dated 19.11.2024 in order to avoid Contempt to Court & also provide Pointwise complete and correct information as desired by me in my RTI application dated 19.11.2024 against Point No. 3, 5, 6 & 8 along with enclosures.”

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

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.

The information sought is in the form of queries / clarifications, which do not come under the of RTI Act, 2005.

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 – 03.01.2025**

  
**Registrar & First Appellate Authority**  
**Tel: 011-26105021**

**Copy to:-**

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

*Slaw*  
03/01/25

*07/c*