

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

CICOM/A/P/25/00097

CICOM/R/P/25/00189

Name of the Appellant: Er. Sunil Kumar

1.	Date of RTI application	24.03.2025
2.	Date of receipt of RTI application in RTI Cell of CIC	25.03.2025
3.	Date of reply of the RTI application	04.04.2025
4.	CPIO (s) who furnished reply	Smt. Suman Bala, DS & CPIO (RTI Cell)
5.	Date of First Appeal application	15.04.2025
6.	Date of First Appeal application received in the office of FAA	01.05.2025
7.	Date of Decision	19.05.2025

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

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

“1.) Please provide a certified copy of your office records which clearly informs that:

(i) The appellant machinery, as discussed in the Statement of Objects and Reasons of the RTI Act, 2005 does not include the FAA, in any manner.



In my believe, in any section or sub – section of RTI Act, 2005; there is absolutely no mention of a FAA, except in Rule 2(g); 8(1)(v) and 9 (iii) of the Central information Commission (Management) Regulation, 2007. In all other parts, there is a mention of Central Information or State Information Commission, as the case may be; only.

I mean, under RTI Act, 2005, a FAA has absolutely no power of inquiring into any matter, as defined in Section 18 of the RTI Act, 2005; and also, has absolutely no power to punish a CPIO/PIO, under Section 20 of the RTI Act, 2005; even if, a CPIO/PIO has willfully been found misleading and/or denying providing all requested information to an applicant, on one pretext or the order.

Presently, absolutely none of the FAA is inquiring into any matter under Section 18 of the RTI Act, 2005 and also, is not punishing to any PIO/CPIO/SPIO under Section 20; because a FAA firmly believe in that these two powers are exclusively best with Second Appellate Authority or CIC/SIC, as the case may be, only.

(ii) These above two powers i.e. inquiry into any matter and/or punishment to a CPIO/SPIO; are exclusively best with a SAA and /or Central Information Commission or SIC, as the case may be only.

(iii) The FAA, in his/her best wisdom, with or without offering a hearing opportunity to an appellant; is just meant to direct a CPIO/PIO, to provide some under Section 20 of the RTI Act, in any manner.

2.) Please provide a certified copy of your office records which clearly informs that:-

(i) That the FAA under RTI Act, 2005, has all powers to deny providing a hearing opportunity to an appellant, in – spite of appellant's written request. Whereas, a SAA cannot dispose – off an appeal application without giving a hearing opportunity to an appellant.

(ii) The FAA under RTI Act, has all powers regarding (i) to deny providing a hearing opportunity to an appellant; and also, (ii) not to pronounce a FAA office decision/order, in a



first appeal matter, in spite of appellant's written request, up to an indefinite time – period. I mean, there is absolutely no binding on the FAA, to ensure compliance of Section 19 (6) of the RTI Act, 2005.

3.) Please provide a certified copy of your office records which clearly informs about that the RTI Act, 2005 in its present shape, is really more progressive, participatory and meaningful in its letter & spirit.

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

Point no. 1, 2, 3.) : - You may refer to RTI Act, 2005 & RTI Rules 2012 which are already available in public domain as well as CIC's website link [CIC's website link https://cic.gov.in/sites/default/files/RTI-Act-English.pdf](https://cic.gov.in/sites/default/files/RTI-Act-English.pdf) and <https://cic.gov.in/sites/default/files/RTI/RTIRules2012.pdf> respectively. No other information is available on record.

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

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

This is to inform you that on 08.04.2025, the appellant is in receipt of a Ms. Suman Bala, CPIO & DS (RTI Cell) official communication number mentioned in the reference above, through a speed post. Through this response/reply, CPIO has denied providing all requested information to the appellant, in a completely misleading/vague way. The CPIO has diverted me to a CIC website to refer RTI Act, 2005 and RTI Rules, 2012; to get a much – needed clarity in all requested matters. CPIO has also informed that no other information is available on record.

The above information makes to understand that the information, which is not a part of RTI Act, 2005 and RTI



Rules, 2012 can easily said to be non – existing, anywhere in CIC record; and also has no meaning under the law.

Here, I also wish to submit that if provisions provided in the RTI Act, 2005 and RTI Rules; 2012 would have been with no ambiguity, whatsoever; then there would have not been any need to file this present request for information under RTI Act, 2005; before CIC. (Please see the file.)

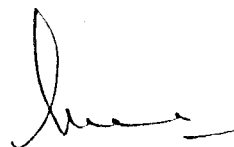
#### **4. Decision with reasons:-**

The First Appeal, RTI application and reply given by CPIO of CIC have been perused. 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 – 19.05.2025**



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

**Copy to:-**

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

 19/05/25