

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SB/C/2015/000009

Dated 06.10.2016

Complainant : Shri K.S. Choudhary,
D/6/6070/1,
Vasant Kunj,
New Delhi-110070.

Respondent : The Central Public Information Officer,
Department of Personnel & Training,
North Block,
New Delhi-110001.

Date of Hearing : 06.10.2016

Relevant dates emerging from the complaint:

RTI application filed on : 05.01.2015

CPIO's reply : 04.02.2015

Complaint filed on : 29.06.2015

ORDER

1. Shri K.S. Choudhary filed an application dated 05.01.2015 under the Right to Information Act, 2005 (RTI Act) before the Public Information Officer (CPIO), Department of Personnel seeking information regarding fixation of his pay on promotion.

2. The appellant filed a complaint dated 29.06.2015 before the Commission on the grounds that the CPIO did not provide the information sought by him

and that the First Appellate Authority (FAA) did not respond to his appeal. The complainant requested the Commission to help him in the matter.

Hearing:

3. Both the complainant Shri K.S. Choudhary and the respondent Shri Pushpender Kumar, Under Secretary and CPIO, DOPT were present in person.

4. The complainant submitted that no information was provided in response to his RTI application on the grounds that under the provisions of the RTI Act, only such information, which already exists and is held by the public authority or held under the control of the Public Authority can be provided.

5. The respondent submitted that a reply to a RTI application dated 5.01.2015 was provided to the appellant vide letter dated 04.02.2015. The appellant was informed that under the RTI Act, only such information can be provided, which already exists and is held by the public authority or under the control of the Public Authority. The Public Information Officer is not supposed to create information; or to interpret the information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions. No material information specific to the queries of the complainant is held by the CPIO, DOPT. For any grievance arising out of specific situations, the appellant was advised to approach the administrative Department concerned which, if required may seek clarifications/ advice from the concerned nodal Department concerned.

Decision:

6. The Commission, after hearing submissions of both the parties and perusing the records, observes that due information has been provided to the appellant. Hence, no further action is required in this matter.

7. With the above observations, the appeal is disposed of.
8. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(V.K. Sharma)
Designated Officer