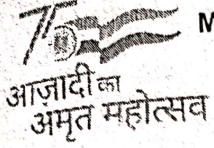




भारत सरकार
GOVERNMENT OF INDIA

RTI MATTER



मत्स्यपालन, पशुपालन और डेयरी मंत्रालय
MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING
मत्स्यपालन विभाग / DEPARTMENT OF FISHERIES



केन्द्रीय मात्स्यिकी तटवर्ती इंजीनियरी संस्थान

CENTRAL INSTITUTE OF COASTAL ENGINEERING FOR FISHERY

ईस्रो आवास के सामने, जालहल्ली, बेंगलूर 560 013
Opposite to ISRO Qrts, Jalahalli, Bengaluru-560 013

संदर्भ सं./Ref. No. I-35/2018-CEF

दिनांक/Dated 12th August, 2022

Sub: Furnishing information under Right to Information Act, 2005.
Ref: RTI Request No.CIFBL/R/E/22/00003 dated 21/07/2022.

The information pertaining to Central Institute of Coastal Engineering for Fishery (CICEF), Bengaluru, Karnataka for the RTI request No. CIFBL/R/E/22/00003 dated 21/07/2022 is as below:

Sl. No.	Information required by the applicant	Information pertaining to CICEF, Bengaluru
1	Provide information about the reservation status for 10 Group A post in the Institute. Whether any reservation is provided for SC, ST, OBC	No such material available in the records of Public Authority. However, the applicant may visit and inspect the available records.
2	How many posts are reserved for different categories i.e. SC, ST, OBC in Group A posts. How many vacancies are there for SC, ST, OBC for these posts.	
3	How is reservation status for overall strength of 47 employees how many seats are reserved for different categories	

In case you are not satisfied with the above reply, you may approach within 30 days to the Appellate Authority at the following address: Director & Appellate Authority, CICEF, Opp. to ISRO Qrts., Jalahalli, Bengaluru – 560 013.

Yours faithfully,

(N.RAVI SANKAR)

CPIO & DEPUTY DIRECTOR (CE)

सेवा में /To,

Shri Hemant Kumar,
Todabhim Karauli,
RAJASTHAN – 321611..

Email : hemantkumar.iitr@gmail.com

Mob: 7895940940

RTI Request & Appeal Management Information System(RTI-MIS)

HOME SEARCH ASSESSMENT COMMENTS RECEIVED FROM CPIO CORRESPONDENCE LETTER REPORTS UTILITY
USER MANUAL LOGOUT

Public Authority: Central Institute of Coastal Engineering For Fishery (CICEF),Banglore

Role : Appellate Authority

User : N.VENKATESH PRASAD

Note : Fields marked with * are Mandatory.(नोट : * से चिह्नित फ़ील्ड अनिवार्य हैं)

Registration Number (पंजीकरण संख्या) : CIFBL/A/E/22/00001 [View RTI Request Details](#) [View Appeal Details](#)

Date of Receipt (प्राप्ति की तारीख) : 12/08/2022

Name of Appellant(अपीलकर्ता का नाम) : HEMANT KUMAR

Date of Target(लक्ष्य की तिथि): 11/09/2022

Current Status(वर्तमान स्थिति) : SUMMON PARTIES FOR HEARING

Date of Action(कार्रवाई की तारीख) : 17/11/2022

***Interim/Final Action**(अंतरिम / अंतिम कार्रवाई) :

ACTION HISTORY OF RTI FIRST APPEAL No.CIFBL/A/E/22/00001

Applicant Name

HEMANT KUMAR

Text of Appeal

Dear sir, Any information has not been furnished by PIO according to RTI ACT 2005. Please provide required information.

Reply of Appeal

I note that as per the Right to Information Act, 2005, CPIO is required to provide information as available with him in the form of OM., Notifications, rules, regulations, orders, letters and circulars etc. Queries/ clarification or interpretation of information is outside the purview of the Right to Information Act, 2002. The CPIO is not supposed to create information or to interpret information. In view of these observations, I find that the respondent cannot be obliged to provide such information, as made by the appellant through his application. The appeal is accordingly disposed of.

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	FIRST APPEAL RECEIVED	12/08/2022		
2	APPEAL FORWARDED TO CONCERNED FIRST APPELLATE AUTHORITY	10/11/2022	Nodal Officer	Online
3	PARTIES SUMMONED FOR HEARING	11/11/2022	FAA - N.VENKATESH PRASAD	
4	PARTIES SUMMONED FOR HEARING	17/11/2022	FAA - N.VENKATESH PRASAD	
5	APPEAL DISPOSED OF	30/11/2022	FAA - N.VENKATESH PRASAD	



011

SOMO. 05/2

Office:
Fax:

080-23457460
080-28385092/93
080-28385091

आजुतरी क...
अभूत मह...
Issued on

जरी कया
01/12/2022

भारत सरकार

GOVERNMENT OF INDIA

मत्स्यपालन, पशुपालन और डेयरी मंत्रालय
MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING

मत्स्यपालन विभाग/ DEPARTMENT OF FISHERIES

केन्द्रीय मात्स्यिकी तटवर्ती इंजीनियरी संस्थान
CENTRAL INSTITUTE OF COASTAL ENGINEERING FOR FISHERY

ईस्रोआवास के सामने, जालहल्ली, बेंगलूर 560 013

Opp. to ISRO Qrts., Jalahalli, Bengaluru-560 013

75
Azadi Ka
Amrit Mahotsav

संदर्भ सं./ Ref No. I-35/2018-CEF

दिनांक/Dated 30th November, 2022

Before the Appellate Authority
(Under the Right to Information Act, 2005)

Hemanth Kumar : Appellant

Vs

CPIO, CICEF, Bangalore : Respondent

Order

1. The appellant filed an application vide RTI request dated 21st July, 2022, under the Right to Information Act, 2005 (hereinafter referred to as "RTI Act"). The respondent vide letter dated 12th August, 2022 responded to the appellant. The appellant has filed this appeal vide appeal dated 12th August, 2022 against the said response.

2. From the appeal, I note that the appellant is aggrieved by the respondent's response to query of his application.

3. The appellant had sought information about (i) the reservation status for 10 Group A post in the Institute, whether reservation is provided for SC, ST, OBC (ii) how many posts are reserved for different categories i.e SC, ST, OBC in Group A Posts, how many vacancies are there for SC, ST, OBC for these posts and (iii) how is reservation status for overall strength of 47 employees how many seats are reserved for different categories.

4. I note that the respondent, in his response, had *inter alia* informed the appellant that no such material available in the records of Public Authority. Further, the applicant was requested to visit and inspect the available records.

5. I note that as per the Right to Information Act, 2005, CPIO is required to provide information as available with him in the form of OM., Notifications, rules, regulations, orders, letters and circulars etc. Queries/ clarification or interpretation of information is outside the purview of the Right to Information Act, 2002. The CPIO is not supposed to create information or to interpret information.

In this context, I note that the Hon'ble Supreme Court of India in the matter of *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors* (Judgment dated August 9, 2011), *inter alia* held: "A public authority is "...not required to provide 'advice' or 'opinion' to an applicant, nor required to obtain and furnish any 'opinion' or 'advice' to an applicant. The reference to 'opinion' or 'advice' in the definition of 'information' in section 2(f) of the Act, only refers to such material available in the records of the public authority. Many public authorities have, as a public relation exercise, provided advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act".

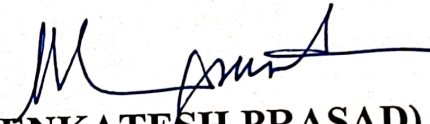
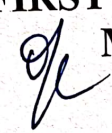
Further, in the matter of *Shri Shantaram Walavalkar vs. CPIO, SEBI* (Decision dated January 17, 2013), I note that the Hon'ble CIC held: "... we would also like to observe that, under the Right to Information (RTI) Act, the citizen has the responsibility to specify the exact information he wants; he is not supposed to seek any opinion or comments or clarifications or interpretations from the CPIO...". I note that the Hon'ble CIC in the matter of *Sh. Alok Shukla vs. CPIO, SEBI* (Decision dated May 23, 2013), held: "While dealing with RTI, we should not forget that information means only an existing material record. The CPIO can provide the copy of the available records; he cannot create new records in order to address specific queries of the Appellant. What the Appellant wants here is clearly in the nature of seeking opinion and not information. Therefore, it is not within the capacity of the CPIO to offer any such opinion or comment".

6. In view of these observations, I find that the respondent cannot be obliged to provide a response to such request for information, as made by the appellant through his application.

7. The appeal is accordingly disposed of.

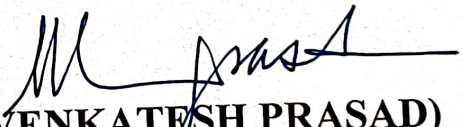
8. As per section 19 (3) of the Right to Information Act, 2005, the appellant, if not satisfied may file appeal to the Second Appellate Authority within 90 days of issue of this order, whose particulars are given below:

Central Information Commission
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110 066.


(N. VENKATESH PRASAD)
DIRECTOR &
FIRST APPELLATE AUTHORITY
Mobile: +919449009965


To
Shri. Hemanth Kumar,
Todabhim Karuli,
RAJASTHAN 321 611.

Copy to Shri. N. Ravi Sankar, Deputy Director and CPIO, CICEF, Bengaluru.


(N. VENKATESH PRASAD)
DIRECTOR &
FIRST APPELLATE AUTHORITY
