F.No.25 (1)/2013-Met-I
Government of India
Ministry of Mines

Shastri Bhawan New Delhi
Dated: 25th June, 2013

<table>
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<tr>
<th>Appellant</th>
<th>Shri A.K. Srivastava</th>
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<tbody>
<tr>
<td>CPIO</td>
<td>Mr. Manoj Kumar</td>
</tr>
<tr>
<td>Grounds for appeal</td>
<td>Information not provided since not held.</td>
</tr>
<tr>
<td>Date of Receipt of Appeal</td>
<td>27.5.2013</td>
</tr>
<tr>
<td>Date of order</td>
<td>25.6.2013</td>
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**ORDER**

Shri A.K. Srivastava (hereinafter referred to as the 'Appellant'), has filed an appeal, aggrieved due to the above-referred grounds.

2. On going through the case file, it was observed that the Appellant had sought information vide his application dated 18.3.2013 (received in this Ministry on 19.3.2013) and reply was furnished to him by the CPIO vide letter dated 10.4.2013.

3. It is submitted here that Metal-I Section is the Administrative Section of NALCO in the Ministry of Mines and all matters pertaining to NALCO are dealt in this Section. The said Section is under the charge of the Section Officer concerned who is also the designated CPIO for information being held in that Section only. Hence, the contention made by the CPIO that information sought is not held by Metal-I Section is factually correct. Further, as per DoP&T's Communication No.1/18/2011-IR dated 16th September, 2011, 'only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of public authority. The Public Information Officer is not supposed to create information; or to interpret information; or to solve the problems raised by the applicant; or to furnish replies to hypothetical questions'.

4. With the above observations, the Appeal stands disposed off. The Appellant, if he so chooses, can file appeal with the Central Information Commission, August Kranti Bhavan, Bhikaji Cama Place, New Delhi -110066.

(Kapil Rastogi)
Appellate Authority & Director
Room - No. 311, D wing,
Shastri Bhawan, New Delhi.

Copy for information to:
P.I. Cell - w.r.t. U.O. No. 2013/00101-PI dated 19.3.2013
भारत सरकार
खान मंत्रालय

विषय - सूचना का अधिकार अधिनियम, 2005 के तहत श्री. ए.के. श्रीवस्तव, नौएडा से प्राप्त अपील के संबंध में।

श्री. ए.के. श्रीवस्तव, नौएडा से प्राप्त मूल अपील दिनांक 14.05.2013 को इस पत्र के साथ उद्धित कार्यवाही हेतु भेजा जा रहा है।

आपसे अनुरोध है कि उक्त अपील/पत्र का निर्देशार्थ दिनांक 25.06.2013 से पूर्व किया जाए और प्रतिलिपि सूचनार्थ पी.आई. सैल को भी भेजी जाए।

(राजेश शाह/Rajesh Shah)
प.सी.पी.आई.ओ./ACPIO

श्री. कपिल रस्तोगी, निदेशक/अपीलीय अधिकारी, खान मंत्रालय, नई दिल्ली।
पी.आई. सैल चू.ओ. क्रमांक 2013/00101-पी.आई. दिनांक 27.05.2013.
To
First Appellate Authority
Sh.Kapil Raisingh, Director, Ministry of Mines, 601 Room No...Bld. Wing, Shashi Bhawan
New Delhi

A. Contact details:

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<tr>
<td>1. Name of the Applicant</td>
<td>A K Srivastava</td>
</tr>
<tr>
<td>2. Address</td>
<td>A-137A sector 27, Noida - 201301 (UP)</td>
</tr>
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B. Details about RTI request:

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<tbody>
<tr>
<td>1. Particulars of the SPIO against whose order appeal is preferred</td>
<td></td>
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<tr>
<td>2. Date of submission of application (Please attach a copy)</td>
<td>18/03/2013 copy enclosed</td>
</tr>
</tbody>
</table>
| 3. Brief facts leading to appeal | (a) No response received within 30 days of submission of Form 1
(b) Aggrieved by the response received within the prescribed period (a copy of the order received be attached)
Grounds for appeal Information asked is for Ministry of Mines an autolo & not Metal I (Section only) |
| 4. Prayer or relief sought |   |
| 5. Last date for filing the appeal | 15-05-2013 |
| 6. If appeal is being filed after 30 days, the reasons which prevented from filing appeal in time | N.A. |
| 7. Copies of documents relied upon by the applicant | N.A. |

Signature of the Applicant: [Signature]

Date: 14/05/2013
No.25 (1)/2013-Met. I

To,

Sh. A.K. Srivastava,
A-137A, Sector-27,
NOIDA - 201301

Subject: Request for information under the RTI Act, 2005.

Sir,

I am directed to refer to your application dated 18.3.2013 received in this Ministry on 19.3.2013 seeking information under the RTI Act, 2005, regarding the letter of Sh. B.L. Bajaj dated 26th August, 2011 addressed to the Hon'ble Minister of Mines and copy marked to Secretary (Mines).

2. Information sought by you is not held by the CPIO and Section Officer, Metal-Section; hence may be treated as 'Nil'.

3. You are further informed that in case you are not satisfied with the reply of this Ministry, you may file an appeal before the Appellate Authority (Shri Kapil Rastogi, Appellate Authority & Director, Ministry of Mines, Room No. 311-D Wing, Shastr Bhavan, New Delhi) within a period of 30 days from the date of receipt of this letter.

Yours faithfully,

(Manoj Kumar
CPIO & Section Officer)

Copy to: P.I. Cell - w.r.t. U.O. No. MINES/R/2013/00101 dated 19.3.2013

Despatched by M.O.M. 12-04-2013

Received by applicant 16-04-2013