

By Speed Post
Right to Information

PRIME MINISTER'S OFFICE

South Block
New Delhi – 110 011
Dated: 13 Sept, 2018

No. RTI/9720/2018-PMR

To:

Shri Karnvir Thamman

Subject: Decision on appeal under the Right to Information Act, 2005.

Sir,

Please refer to your letter (PMOIN/A/2018/60467) dated 15.08.2018 (received online), preferring an appeal under the Right to Information Act, 2005.

2. It is observed that you made a right to information application (53676) dated 08.08.2018 (received online), *inter alia*, seeking information relating to provision/law for charging parking fee at shopping malls situated at Chandigarh.
3. The CPIO, PMO, vide letter dated 13.08.2018, had stated that the information sought by you was concern of the State Government. Therefore, you were advised to make separate application to the public authority concerned in the State Government for obtaining information under section 6(1) of the Right to Information Act, 2005.
4. In the appeal, you have expressed dissatisfaction with the response provided and reiterated that information may be provided to you.
5. I have examined the records in the matter. I find that the CPIO, PMO had held that the information sought concerned the State Government / U.T. and advised you to file applications separately with the concerned public authority(s) of the State Government / U.T., u/s 6(1) of the Act, for obtaining the requisite information. By way of appeal, you have reiterated that information sought may be provided to you. It is observed that the CPIO is obliged to provide information as is held in the records of the concerned public authority and not where it is held with other public authority as happens to be the case in the matter in hand. Hence, the stand of the CPIO is in order.
6. Based on the reasons given above, no further action is called for on your appeal and the same is accordingly disposed off.



7. In case you are not satisfied with the given decision, you may prefer 2nd appeal, before the Central Information Commission, Baba Gang Nath Marg, 3rd Floor, Munirka, New Delhi-110067, within 90 days of receipt of this communication by you.


(S.F. Rizwi)

Director & Appellate Authority