

## **Central Information Commission**

**Appeal No. 06/IC(A)/CIC/2006**

**Dated, the 3<sup>rd</sup> March, 2006**

Name of the Appellant : K.K. Shrivastava, CPIO, Commissioner, Central Excise, Mumbai.

Name of Public Authority: Prem V.P. Singh, The Appellate Authority, Chief Commissioner, Central Excise, Mumbai Zone-II.

### **DECISION**

The CPIO, Commissioner, Central Excise, Mumbai-III has filed an appeal on 26<sup>th</sup> December, 2005 against the Order No. 01/2005 (RTI) dated 29.11.2005 passed by the appellate authority of his own organization, Chief Commissioner, Central Excise, Mumbai, Zone-II.

An information seeker filed her appeal before the first appellate authority, against the decision of the CPIO, on the matter relating to recovery of cost of providing information from the applicant. The appellate authority overruled the order of CPIO. The information seeker was however provided information sought by her.

This appeal before the Commission is from the CPIO against the decision of his own appellate authority. CPIO is the information provider, and not the seeker of information. There is no question of denial of information. As such, there is no provision in the RTI Act to consider such appeals/complaints. Hence, the appeal is not maintainable and therefore dismissed.

Sd/-  
(M.M. Ansari)  
Information Commissioner

Authenticated true copy:

(P.K. Gera)  
Registrar

Cc:

1. Shri K.K. Shrivastava, CPIO, Commissioner, Central Excise, Mumbai-III, 4<sup>th</sup> Floor, Vardaan Trade Sankul, MIDC, Waghle Industrial Estate, Thane(West)-400604
2. Shri Prem V.P. Singh, Prem V.P. Singh, The Appellate Authority, Chief Commissioner, Central Excise, Mumbai Zone-II, 4<sup>th</sup> Floor, Vardaan Trade Sankul, MIDC, Waghle Industrial Estate, Thane(West)-400604