

BEFORE THE APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)

INDIA GOVERNMENT MINT

(A Unit of SPMCIL)

IDA.Phase.II, HCL Post, Cherlapally, Hyderabad – 500 051

First Appeal No. IGMHY/A/E/22/00006 dated 30.12.2022

First Appeal No. IGMHY/A/E/22/00007 dated 30.12.2022

C.KIRAN KUMAR

:

Appellant

Vs.

CPIO(HR), IGMH,
Hyderabad

:

Respondent

Since both the appeals are emanating from a Single RTI Application, hence, it would be apposite if the same were disposed by way of a common order. Hence, the undersigned issues the following common order.

COMMON ORDER

1. The appellant filed an application dated November 29th, 2022 under the Right to Information Act, 2005 ("RTI Act") through the RTI MIS Portal bearing Registration No: IGMHY/R/T/22/00029. The respondent disposed of the request vide his online reply dated December 30th, 2022 to the appellant. The appellant filed the present appeal dated December 30th, 2022 against the above response. I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.
2. From the Appeal, I note that the appellant is aggrieved by the respondent's response to his application for providing incomplete information as far as the period is concerned.

Queries in the application:

Sl No.	Date of Application	Information sought
1	November 29 th , 2022	SUB:-Provid brief information report ritten by the MINISTRY OF FINANCE Vide this (INDIAN GOVERNEMENT MINT) LR NO:- I-2/99-2000/ADO/4878, Dated:-12-3-2001 Given permission for Compassionet appointment SIR I Undersigned request to furnishe the following full information in the letter under RTI ACT 1)Provid brief information report written by the MINISTRY OF FINANCE Vide this (INDIAN GOVERNEMENT MINT) LR NO:- I-2/99-2000/ADQ/4878, Dated:-12-3-2001 Given permission for Compassionet appointment Therefore i am redy to bear the law full expenditure.

3. **Grounds in Appeal** – The applicant raised the appeal dated 30.11.2022 on the ground

that, "No Response Within the Time Limit." And stated as below:

"SUB: Provid brief information report written by the MINISTRY OF FINANCE Vide this (INDIAN GOVERNMENT MINT HYDERABAD)LR NO :- I-2/99-2000/ADO/4878, Dated:-12-3-2001 Given permission for Compassionet appointment SIR I Undersigned request to furnish e the following full information in the letter under RTI ACT 1) Provid brief information report written by the MINISTRY OF FINANCE Vide this (INDIAN GOVERNMENT MINT HYDERABAD)LR NO :- I-2/99-2000/ADO/4878, Dated:-12-3-2001 Given permission for Compassionet appointment Therefore i am redy to bear the law full ependiture."

- 4 I note that the appellat had sought information with respect to response of Ministry of Finance in reply to LR NO :- I-2/99-2000/ADO/4878, Dated:-12-3-2001 issued by this Mint. Against this request CPIO(HR) vide his RTI reply dated 30.12.2022 has provided the following information:

"No Information In This Regard Is Available As Per The Available Records Being Maintained By This Office."

- 5 In this regard, the undersigned had sought comments from the Respondent CPIO with whom the information is maintained with respect to the relief being sought by the Appellant.

- 6 Further, in response to the above direction of the undersigned, CPIO(HR) has provided the following comments on record:

"...As per the available records being maintained by this office, the said communication is not available and the RTI has already been disposed of on 30.12.2022 by providing relevant information with reference to the queries sought by Shri. C.Kiran Kumar."

- 7 Since, the information as sought by the Appellant has already been provided by the respondent CPIO on 30.12.2022 no further action is warranted in this matter.

- 8 In exercise of the powers, conferred upon the Appellate Authority under Section 19(6) of Right to Information Act, 2005, the Appeal stands disposed.
The decision can be appealed against to CIC within a period of 90 days at below mentioned address or through the online RTI portal.

**Central Information Commission,
CIC Bhawan, Baba Ganganath Marg,
Munirka, New Delhi - 110 067.**

Place: Hyderabad

Date: JANUARY 23, 2023

F.No. IGMH/RTI/FAA/2021-22 / 1926


(VNR NAYUDU)

**APPELLATE AUTHORITY &
CHIEF GENERAL MANAGER**

BEFORE THE APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)

INDIA GOVERNMENT MINT

(A Unit of SPMCIL)

IDA.Phase.II, HCL Post, Cherlapally, Hyderabad – 500 051

First Appeal No. IGMHY/A/E/23/00001 dated 05.01.2023

Dr. Dilip Rajgor : Appellant
 Vs.
 CPIO(TO), IGMH, : Respondent
 Hyderabad

ORDER

1. The appellant filed an application dated December 06th, 2022 under the Right to Information Act, 2005 (“RTI Act”) through the RTI MIS Portal bearing Registration No: IGMHY/R/E/22/00037. The respondent disposed of the request vide his online reply dated January 05th, 2023 to the appellant. The appellant filed the present appeal dated January 05th, 2023 against the above response. I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.
2. From the Appeal, I note that the appellant is aggrieved by the respondent’s response to his application for providing incomplete information as far as the period is concerned.

Queries in the application:

Sl No.	Date of Application	Information sought
1	December 06 th , 2022	I am a researcher working on Numismatic History of India. Recently, my latest book on Republic Coins of India 1947 to 2022 was released at the hands of Shri Bhagat Singh Koshyari, the Hon. Governor of Maharashtra on 27th October 2022 at the Raj Bhawan, Mumbai. I need following information for my upcoming research book. 1. Denominations of Commemorative Coins minted since 1947 2. Years & Metals in Which these denominations were Minted 3. Total Commemorative Coins Minted in each year, for each denomination Details needed for the Denominations of Commemorative Coins are: 5 Paise 10 Paise 20 Paise 25 Paise 50 Paise 1 Rupee 2 Rupees 5 Rupees 10 Rupees 20 Rupees.

3. The respondent provided the information to the appellant well within the prescribed period of time as per the provisions contained in the RTI Act, 2005.
4. **Grounds in Appeal** – The applicant raised the appeal on the ground that, “*Provided Incomplete, Misleading or False Information.*” And stated as below:

“The reply provided seem to be incomplete. Kindly see the attached PDF file for more details.”

The details submitted by the Appellant in the attachment have been provided below:

Thank you for your instant reply of my RTI Inquiry about the Mintage figures of all the Commemorative coins minted by Hyderabad Mint since 1947.

Here is the summary of your reply:

1. You have given only 1 entry of 1 Rupee coins (Your no. 15)
2. You have given only 2 entries of 2 Rupee coins (Your no. 16-17)
3. You have given only 38 entries of 5 Rupee coins (Your no. 18-55)
4. Out of Entries of 5 Rupee coins, your entries from 49 to 52 seem to be double entries. Kindly confirm if these are repetitions or they were re-minted in same years with same mintage figures.
5. Your data of 10 Rupee coins is missing with details of AKAM coins.

Unfortunately, your reply is incomplete. Following is the list of Commemorative Coins minted by Hyderabad Mint, in their ascending order of denominations, since 1947. You have not provided data of denominations minted by Hyderabad Mint as listed in the last column:

Sr. No.	Denomination	Years Minted	Total Issues	Data Provided of Issues / Missing
1	5 Paise	1976 to 1979	4	0 (4 missing)
2	10 Paise	1974 to 1982	6	0 (6 missing)
3	20 Paise	1969 to 1983	3	0 (3 missing)
4	25 Paise	1980 to 1985	4	0 (4 missing)
5	50 Paise	1985 to 1997	4	1 (3 missing)
6	1 Rupee	1985 to 2010	17	1 (16 missing)
7	2 Rupees	1993 to 2022	14	2 (12 missing)
8	5 Rupees	1985 to 2022	43	38 (5 missing)
9	10 Rupees	2012 to 2022	14	13 (1 missing)
10	20 Rupees	2022	1	0 (1 missing)

You are requested to furnish the above-mentioned missing Mintage Data.

5. I note that the appellant had sought information with respect to various denominations of commemorative coins minted at Hyderabad mint since 1947.
6. In this regard, the undersigned had directed/sought comments from the Respondent CPIO with whom the information is maintained.
7. Further, in response to the direction, CPIO(Tech) has provided the following information/comments on record dated 20.01.2023:

“The available information as is available in the bullion section has already been provided.”
8. The FAA observes that, the CPIO is obliged to provide the information to the extent it is available in their records. Also, if the information in the manner sought by the applicant is not available, there is no bounden duty on the CPIO to create any fresh compilation for non-existent records. This legal principle is supported by the decision of the Hon'ble Delhi High Court in its order dated 07-01-2016 of Page 3 of 4 in LPA 24/2015 & CM No. 965/2015 titled as *“The Registrar of Supreme Court of India v. Commodore Lokesh K Batra & Ors.”* wherein, it was held as under:-

"15. On a combined reading of Section 4(1) (a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, "right to information" under Section 2(j) means only the right to information which is held by any public authority. We do not find any other provision under the Act under which a direction can be issued to the public authority to collate the information in the manner in which it is sought by the applicant."

9. Further, it is also observed that under the provisions of the RTI Act, 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. In this context, the decision of the Hon'ble Supreme Court of India in Khanapuram Gandiah v. Administrative Officer and Ors. in SLP (C).34868 OF 2009 (Decided on January 4, 2010) can be cited where it was held as under:

6. "...Under the RTI Act "information" is defined under Section 2(f) which provides: "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force."

This definition shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed."

7. "... the Public Information Officer is not supposed to have any material which is not before him; or any information he could have obtained under law. Under Section 6 of the RTI Act, an applicant is entitled to get only such information which can be accessed by the "public authority" under any other law for the time being in force. The answers sought by the petitioner in the application could not have been with the public authority nor could he have had access to this information and Respondent No. 4 was not obliged to give any reasons as to why he had taken such a decision in the matter which was before him."

10. Also, the Hon'ble Supreme Court in SLP(C) NO. 7526/2009 (CBSE & Anr. Vs. Aditya Bandopadhyay & Ors) had held that:

"35. At this juncture, it is necessary to clear some misconceptions about the RTI Act. The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of 'information' and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also 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, provide advice, guidance and opinion to the citizens. But

that is purely voluntary and should not be confused with any obligation under the RTI Act.”

11. Further, the Hon'ble CIC in S. P. Goyal vs V. C. Ramachandran (Case Nos. CIC/SG/C/2011/000760, CIC/SM/A/2011/000926/SG, CIC/SM/A/2011/001111/SG, CIC/SG/A/2011/002909 Dated 17th January, 2012) observed that:

“The Commission, at several appellate hearings, has explained to the Complainant that under the RTI Act, only the information as per records can be made available;.....”

12. In exercise of the powers, conferred upon the Appellate Authority under Section 19(6) of Right to Information Act, 2005, the appellate authority finds no reason to interfere with the responses provided by the respondent CPIO.

13. Accordingly, the Appeal stands disposed.

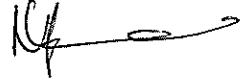
The decision can be appealed against to CIC within a period of 90 days at below mentioned address or through the online RTI portal.

**Central Information Commission, Room No. 305, 2nd Floor, CIC Bhawan,
Baba Ganganath Marg, Munirka, New Delhi – 110 067.**

Place: Hyderabad

Date: January 23, 2023

F.No. IGMH/RTI/FAA/2021-22 / 1929



(VNR NAYUDU)

**APPELLATE AUTHORITY &
CHIEF GENERAL MANAGER**

BEFORE THE APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)

INDIA GOVERNMENT MINT

(A Unit of SPMCIL)

IDA.Phase.II, HCL Post, Cherlapally, Hyderabad – 500 051

First Appeal No. IGMHY/A/E/23/00002 dated 16.01.2023

AVULA MAHESH : Appellant
 Vs.
 CPIO(HR), IGMH, : Respondent
 Hyderabad

ORDER

1. The appellant filed an application dated December 16th, 2022 under the Right to Information Act, 2005 (“RTI Act”) through the RTI MIS Portal bearing Registration No: IGMHY/R/E/22/00039. The respondent disposed of the request vide his online reply dated January 17th, 2023 to the appellant. The appellant filed the present appeal against the above response. I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.

2. From the Appeal, I note that the appellant is aggrieved by the respondent’s response to his application for providing incomplete information as far as the period is concerned.

Queries in the application:

SI No.	Date of Application	Information sought
1	December 16 th , 2022	Please provide me the following details of Bonakurthi Chandrashekar who retired on 31 05 2019 1. Filled Application form while joining in the job. 2. Joining report of Bonakurthi Chandra shekar. 3. SSC, Intermediate, Graduation & other educational qualification which are submitted in joining time. 4. Caste certificate which was submitted while joining time in organisation.

3. **Grounds in Appeal** – The applicant raised the appeal dated 16.01.2023 on the ground that, “No Response Within the Time Limit.” And stated as below:

“Please provide me the following details of Bonakurthi Chandrashekar who retired on 31 May 2019 1. Filled Application form while joining in the job. 2. Joining report of Bonakurthi Chandra shekar. 3. SSC, Intermediate, Graduation & other educational qualification which are submitted in joining time. 4. Caste certificate which was submitted while joining time in organisation.”

4. I note that the appellant had sought information with respect to one Shri. Bonakurthi Chandrashekar. Against this request CPIO(HR) vide his RTI reply dated 17.01.2023 has

provided the following information:

“For S.No.1 to 4: As per the available information, no records pertaining to Shri. Bonakurthi Chandrashekar are available at this office. Further, it is to inform that no employee by the said name is available in the rolls of this office retired during May, 2019”

5. In this regard, the undersigned had sought comments from the Respondent CPIO with whom the information is maintained with respect to the relief being sought by the Appellant.
6. Further, in response to the above direction of the undersigned, CPIO(HR) has provided the following comments on record:

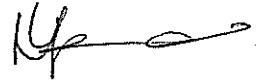
“..The RTI has already been disposed of on 17.01.2023 by providing relevant information with reference to the queries sought by Shri. AVULA MAHESH.....”
7. Since, the information as sought by the Appellant has already been provided by the respondent CPIO on 17.01.2023, no further action is warranted in this matter.
8. In exercise of the powers, conferred upon the Appellate Authority under Section 19(6) of Right to Information Act, 2005, the Appeal stands disposed.
The decision can be appealed against to CIC within a period of 90 days at below mentioned address or through the online RTI portal.

Central Information Commission,
Room No. 305, 2nd Floor,
CIC Bhawan, Baba Ganganath Marg,
Munirka, New Delhi – 110 067.

Place: Hyderabad

Date: JANUARY 23, 2023

F.No. IGMH/RTI/FAA/2021-22 /1928



(VNR NAYUDU)

APPELLATE AUTHORITY &
CHIEF GENERAL MANAGER

BEFORE THE APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)

INDIA GOVERNMENT MINT

(A Unit of SPMCIL)

Phase.II, HCL Post, Cherlapally, Hyderabad – 500 051

First Appeal No. IGMHY/A/E/23/00003 dated 18.01.2023

SRI RAMULA DANELU : Appellant

Vs.

CPIO(HR), IGMH, : Respondent
HyderabadORDER

1. The appellant filed an application dated December 24th, 2022 under the Right to Information Act, 2005 ("RTI Act") through the RTI MIS Portal bearing Registration No: IGMHY/R/E/22/00048. The respondent disposed of the request vide his online reply dated January 17th, 2023 to the appellant. The appellant filed the present appeal dated January 18th, 2023 against the above response. I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.
2. From the Appeal, I note that the appellant is aggrieved by the respondent's response to his application for providing incomplete information as far as the period is concerned.

Queries in the application:

Sl No.	Date of Application	Information sought
1	December 24 th , 2022	Please provide me the following details of Bonakurthi Chandrashekar who retired on 31 05 2019 1. Filled Application form while joining in the job. 2. Joining report of Bonakurthi Chandra shekar. 3. SSC, Intermediate, Graduation & other educational qualification which are submitted in joining time. 4. Caste certificate which was submitted while joining time in organisation.

3. The respondent provided the information to the appellant well within the prescribed period of time as per the provisions contained in the RTI Act, 2005.
4. **Grounds in Appeal** – The applicant raised the appeal on the ground that, "Any other ground." And stated as below:

"This is Sri ramula danelu from Tadakamalla Village, Miryalaguda Mandal Nalgonda District. I am the Member of Telangana Budabukkala Welfare Society I requested regarding Bonakurthi Chandra Shekar be called as B.CHANDRASHEKAR as per your records date of birth is 07.05.1959 & retired

on 31.05.2019 Previously, He was the employee of the India Government Mint, Hyderabad. Please provide the all documents as in the RTI Application : IGMHY/R/E/22/00048.”

- 5 I note that the appellant had sought information with respect to one Shri. Bonakurthi Chandrashekar. Against this request CPIO(HR) vide his RTI reply dated 17.01.2023 has provided the following information:

“For S.No.1 to 4: As per the available information, no records pertaining to Shri. Bonakurthi Chandrashekar are available at this office. Further, it is to inform that no employee by the said name is available in the rolls of this office retired during May, 2019”

- 6 In this regard, the undersigned had sought comments from the Respondent CPIO with whom the information is maintained with respect to the relief being sought by the Appellant.

- 7 Further, in response to the above direction of the undersigned, CPIO(HR) has provided the following comments on record:

“...As per the available records being maintained in the HR Section of this Mint, no person by name Bonakurthi Chandrashekhar has retired during May, 2019.....”

- 8 **Points for Consideration:**

- a) Whether the information requested by the Appellant was not provided to the Appellant?

The Sole point standing for consideration of the FAA is dealt as below:

- a) Whether the information requested by the Appellant was not provided to the Appellant?

i) It is observed from the Reply to the RTI Application and Comments tendered that the CPIO has stated that, as per the records no employee by the said name is available in the rolls of this office retired during May, 2019. In this regard, I have gone through the retirees list pertaining to May, 2019 and it can be affirmed from the records that no person with the said details have retired during May, 2019.

ii) The FAA observes that, the CPIO is obliged to provide the information to the extent it is available in their records. This legal principle is supported by the decision of the Hon'ble Delhi High Court in its order dated 07-01-2016 of Page 3 of 4 in LPA 24/2015 & CM No. 965/2015 titled as *“The Registrar of Supreme Court of India v. Commodore Lokesh K Batra & Ors.,”* wherein, it was held as under:-

“15. On a combined reading of Section 4(1) (a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, “right to information” under Section 2(j) means only the right to information which is held by any public authority.”

iii) Further, it is also observed that under the provisions of the RTI Act, 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. In this context, the decision of the

Hon'ble Supreme Court of India in Khanapuram Gandiah v. Administrative Officer and Ors. in SLP (C).34868 OF 2009 (Decided on January 4, 2010) can be cited where it was held as under:

6. "...Under the RTI Act "information" is defined under Section 2(f) which provides: "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, report, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force."

This definition shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed."

7. "... the Public Information Officer is not supposed to have any material which is not before him; or any information he could have obtained under law. Under Section 6 of the RTI Act, an applicant is entitled to get only such information which can be accessed by the "public authority" under any other law for the time being in force. The answers sought by the petitioner in the application could not have been with the public authority nor could he have had access to this information and Respondent No. 4 was not obliged to give any reasons as to why he had taken such a decision in the matter which was before him."

In view of the above, no further consideration by the FAA in this regard is required.

9. In exercise of the powers, conferred upon the Appellate Authority under Section 19(6) of Right to Information Act, 2005, the appellate authority finds no reason to interfere with the responses provided by the respondent CPIO.

10. The Appeal stands disposed.

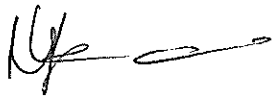
The decision can be appealed against to CIC within a period of 90 days at below mentioned address or through the online RTI portal.

Central Information Commission,
Room No. 305, 2nd Floor,
CIC Bhawan, Baba Ganganath Marg,
Munirka, New Delhi - 110 067.

Place: Hyderabad

Date: JANUARY 23, 2023

F.No. IGMH/RTI/FAA/2021-22 / 1927



(VNR NAYUDU)

APPELLATE AUTHORITY &
CHIEF GENERAL MANAGER

BEFORE THE APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)

INDIA GOVERNMENT MINT

(A Unit of SPMCIL)

IDA.Phase.II, HCL Post, Cherlapally, Hyderabad – 500 051

First Appeal No. IGMHY/A/E/23/00004 dated 19.01.2023

SAMARESH DAS : Appellant
 Vs.
 CPIO(TO), IGMH, : Respondent
 Hyderabad

ORDER

1. The appellant filed an application dated January 18th, 2023 under the Right to Information Act, 2005 (“RTI Act”) through the RTI MIS Portal bearing Registration No: IGMHY/R/E/23/00012. The respondent disposed of the request vide his online reply dated January 19th, 2023 to the appellant. The appellant filed the present appeal dated January 19th, 2023 against the above response. I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.
2. From the Appeal, I note that the appellant is aggrieved by the respondent’s response to his application for providing incomplete information as far as the period is concerned.

Queries in the application:

Sl No.	Date of Application	Information sought
1	January 18 th , 2023	IS THERE ANY EXPERIMENTAL COIN OF 1RUPEE MINTED IN 1985? IF YES THEN HOW MUCH IS THE MINTAGE AND WAS IT ISSUED FOR CIRCULATION.

3. The respondent provided the information to the appellant well within the prescribed period of time as per the provisions contained in the RTI Act, 2005.
4. **Grounds in Appeal** – The applicant raised the appeal on the ground that, “*Provided Incomplete, Misleading or False Information.*” And stated as below:

“the reply received is incomplete. if the coin is not minted at all that can be mentioned specifically. NO INFORMATION AVAILABLE IN THIS REGARD cannot reach any conclusion. i request you to look into the matter and please do the needful..”

5. I note that the appellant had sought information with respect to experimental coin of 1 rupee minted in 1985.
6. In this regard, the undersigned had directed/sought comments from the Respondent CPIO with whom the information is maintained.
7. Further, in response to the direction, CPIO(Tech) has provided the following information/comments on record dated 13.02.2023:

“As per the available information, it is reiterated that no such information is available in the records being maintained by Bullion Section..”

8. The FAA observes that, the CPIO is obliged to provide the information to the extent it is available in their records. Also, if the information in the manner sought by the applicant is not available, there is no bounden duty on the CPIO to create any fresh compilation for non-existent records. This legal principle is supported by the decision of the Hon’ble Delhi High Court in its order dated 07-01-2016 of Page 3 of 4 in LPA 24/2015 & CM No. 965/2015 titled as “*The Registrar of Supreme Court of India v. Commodore Lokesh K Batta & Ors.*,” wherein, it was held as under:-

“15. On a combined reading of Section 4(1) (a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, “right to information” under Section 2(f) means only the right to information which is held by any public authority. We do not find any other provision under the Act under which a direction can be issued to the public authority to collate the information in the manner in which it is sought by the applicant.”

9. Further, it is also observed that under the provisions of the RTI Act, 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. In this context, the decision of the Hon’ble Supreme Court of India in *Khanapuram Gandiah v. Administrative Officer and Ors.* in SLP (C).34868 OF 2009 (Decided on January 4, 2010) can be cited where it was held as under:

6. “...Under the RTI Act “information” is defined under Section 2(f) which provides: “information” means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, report, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.”

This definition shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed.”

7. “. . . the Public Information Officer is not supposed to have any material which is not before him; or any information he could have obtained under law. Under Section 6 of the RTI Act, an applicant is entitled to get only such information which can be accessed by the “public authority” under any other law for the time being in force. The answers sought by the petitioner in the application could not have been with the public authority nor could he have had access to this information and Respondent No. 4 was not obliged to give any reasons as to why he had taken such a decision in the matter which was before him.”

10. Also, the Hon'ble Supreme Court in SLP(C) NO. 7526/2009 (CBSE & Anr. Vs. Aditya Bandopadhyay & Ors) had held that:

“35. At this juncture, it is necessary to clear some misconceptions about the RTI Act. The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of ‘information’ and ‘right to information’ under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also 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, provide advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act.”

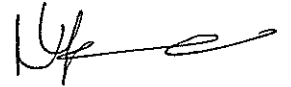
11. Further, the Hon'ble CIC in S. P. Goyal vs V. C. Ramachandran (Case Nos. CIC/SG/C/2011/000760, CIC/SM/A/2011/000926/SG, CIC/SM/A/2011/001111/SG, CIC/SG/A/2011/002909 Dated 17th January, 2012) observed that:

“The Commission, at several appellate hearings, has explained to the Complainant that under the RTI Act, only the information as per records can be made available;.....”

12. In exercise of the powers, conferred upon the Appellate Authority under Section 19(6) of Right to Information Act, 2005, the appellate authority finds no reason to interfere with the responses provided by the respondent CPIO.
13. Accordingly, the Appeal stands disposed.

The decision can be appealed against to CIC within a period of 90 days at below mentioned address or through the online RTI portal.

Central Information Commission, Room No. 305, 2nd Floor, CIC Bhawan,
Baba Ganganath Marg, Munirka, New Delhi – 110 067.



(VNR NAYUDU)

APPELLATE AUTHORITY &
CHIEF GENERAL MANAGER

Place: Hyderabad

Date: February 18, 2023

F.No. IGMH/RTI/FAA/2021-22 / 2080

BEFORE THE APPELLATE AUTHORITY

(Under the Right to Information Act, 2005)

INDIA GOVERNMENT MINT

(A Unit of SPMCIL)

IDA.Phase.II, HCL Post, Cherlapally, Hyderabad – 500 051

First Appeal No. IGMHY/A/E/23/00005 dated 20.01.2023

HEMANT KUMAR JAIN : Appellant
 Vs.
 CPIO(TO), IGMH, : Respondent
 Hyderabad

ORDER

1. The appellant filed an application dated December 04th, 2022 under the Right to Information Act, 2005 (“RTI Act”) through the RTI MIS Portal bearing Registration No: IGMHY/R/E/22/00036. The respondent disposed of the request vide his online reply dated January 05th, 2023 to the appellant. The appellant filed the present appeal dated January 20th, 2023 against the above response. I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.
2. From the Appeal, I note that the appellant is aggrieved by the respondent’s response to his application for providing incomplete information as far as the period is concerned.

Queries in the application:

Sl No.	Date of Application	Information sought
1	December 04 th , 2022	The information sought is as follows:- (1) What is the total number of sets of various theme and subject wise commemorative coins issued by India Mint Hyderabad from the year 2008 till date. Please inform the information. (2) 2 different types of obverse die and two types of folder/blister packing were used in the single set of commemorative coins issued by Hyderabad mint of Atal Bihari Vajpayee ji. Please give information about the different number of coins minted from both types of dies. (3) The single set of commemorative coins issued by Gur ta Gaddi Hyderabad Mint used two different obverse dies, one with the rupee symbol and the other without the rupee symbol. Please give information about the different number of coins minted from both types of dies. (4) Will try to give information about the cost analysis of the coin issued from Hyderabad Mint with the price of 4160. The cost of the set of coins issued at the same time from other mints like Mumbai or Kolkata is very low. What are the different rules made for all the three units of SPMCIL. Please try to give information.

3. The respondent provided the information to the appellant well within the prescribed period of time as per the provisions contained in the RTI Act, 2005.

4. **Grounds in Appeal** – The applicant raised the appeal on the ground that, “*Provided Incomplete, Misleading or False Information.*” And stated as below:

“(1) I am asking question what is the total number of set of various theme and subject wise commemorative coins issued by india Government mint Hyderabad.

*Mint provided me list of coin for general circulation purpose ..
I wants information of Commemorative set issued in blister packing for collection purpose to coin collectors like Atal Bihari Vajpayee etc ..*

(2) In my 2nd Number qurey I asking , 2 different types of obverse die and two types of folder / blister packing were used in single set of commemorative coin set issued by Hyderabad mint of Atal Bihari Vajpayee . Please give information about the different number of coins minted from both types of dies ..

*IGMH reply totally misleading and wrong answer ..
Please check in attachment file images clearly two types of Die used . Two different obverse dies are prepared and used for minting Atal Bihari Vajpayee coin Resulting two Different lion varieties are minted ..*

(3) Also number 3 Qurey cast analysis of deciding price of coin set (blister pack) of Rs 4160 before put for sell ..Still reply not obtained yet..”

5. I note that the appellant had sought information with respect to various themes of Commemorative coins.
6. In this regard, the undersigned had directed/sought comments from the Respondent CPIO with whom the information is maintained as per the contentions put forth by the Appellant.
7. Further, in response to the direction, CPIO(Tech) has provided the following information/comments on record dated 15.02.2023:

“For S.No.1: - Information is already provided

For S.No.2: - As per the available records, total number of commemorative coins minted in respect of “BIRTH ANNIVERSARY OF Late SHRI ATAL BIHARI VAJPAYEE” is only available and which is already provided. No individual set of information is maintained

For S.No.3: - Information is already provided”

8. The FAA observes that, the CPIO is obliged to provide the information to the extent it is available in their records. It is seen from the above comments that for S.No.1& 3 information has been provided as per the available records and for s.no.2, the information has been given as per the available records since individual set of information is not maintained. Also, if the information in the manner sought by the applicant is not available, there is no bounden duty on the CPIO to create any fresh compilation for non-existent records. This legal principle is supported by the decision of the Hon’ble Delhi High Court in its order dated 07-01-2016 of Page 3 of 4 in LPA 24/2015 & CM No. 965/2015 titled as “*The Registrar of Supreme Court of India v. Commodore Lokesh K Batra & Ors.*,” wherein, it was held as under:-

“15. On a combined reading of Section 4(1) (a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, “right to information” under Section 2(j) means only the right to information which is held by any public authority. We do not find any other provision

under the Act under which a direction can be issued to the public authority to collate the information in the manner in which it is sought by the applicant."

9. Further, it is also observed that under the provisions of the RTI Act, 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. In this context, the decision of the Hon'ble Supreme Court of India in Khanapuram Gandiah v. Administrative Officer and Ors. in SLP (C).34868 OF 2009 (Decided on January 4, 2010) can be cited where it was held as under:

6. "...Under the RTI Act "information" is defined under Section 2(f) which provides: "information" means any material in any form, including records, documents, memos, e-mails, opinions, ad vices, press releases, circulars, orders, logbooks, contracts, report, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force."

This definition shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed."

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11. In exercise of the powers, conferred upon the Appellate Authority under Section 19(6) of Right to Information Act, 2005, the appellate authority finds no reason to interfere with the responses provided by the respondent CPIO.

12. **Accordingly, the Appeal stands disposed.**

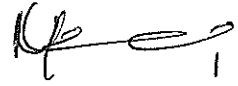
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**Central Information Commission, Room No. 305, 2nd Floor, CIC Bhawan,
Baba Ganganath Marg, Munirka, New Delhi – 110 067.**

Place: Hyderabad

Date: February 18, 2023

F.No. IGMH/RTI/FAA/2021-22 /208)



(VNR NAYUDU)

**APPELLATE AUTHORITY &
CHIEF GENERAL MANAGER**