

Central Information Commission
Baba Gang Nath Marg,
Munirka, New Delhi-110067.

CIC/AA/A/2018/243
CICOM/A/2018/00213
CICOM/R/2018/00789

Name of the appellant : Shri Binod Kumar Singh,
S/o R.C. Singh,
VPO – Bihari Bigha Barh,
Patna – 803 214.

1.	Date of online RTI application	04.08.2018
2.	Date of reply of the RTI application	16.08.2018
3.	CPIO(s) who furnished reply	DR to CR-II
4.	1 st Appeal Date	30.08.2018
5.	Diary No. of 1 st Appeal of the Dak Section	2402
6.	Diary date of the Dak Section	06.09.2018
7.	Diary date of 1 st Appeal in the office of FAA	11.09.2018
8.	Date of Decision	18.09.2018

Brief facts of the case:-

In the RTI application, appellant has sought following information:-

"(1) Section 19(8)(b) of the R.T.I. Act, 2005, provides for giving compensation to the information seeker for not compliance of information by the CPIO and the 1st Appellate Authority.

Please provide information as to items to be included for arriving at quantum of compensation, if particular items are taken for consideration.

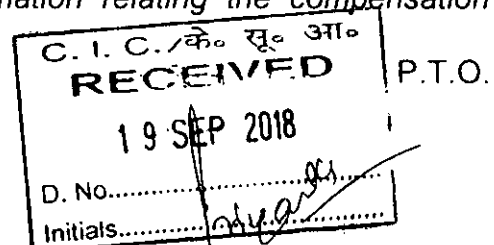
(2) Section 4(1)(b)(x) of the R.T.I. Act. 2005, also deals with, interalia, compensation.

Whether Section 4(1)(b)(x) has any link with Section 19(8)(b) to award compensation.

(3) *Please provide a copy of the decision of the CIC in which maximum quantum of compensation has been awarded to the appellant by the CIC as of now.*

2. Shri Krishan Avtar Talwar, CPIO & DS to CR-II vide letter dated 16.08.2018 has furnished following reply on Point-(3):

"It is stated that no record relating to compensation awarded by the Commission is maintained at one place. As such, information relating the compensation amount as asked for is not available.



[2]

Whatever record is maintained, is maintained in that specific file in which the Commission awarded compensation. As such, you may, seek information relating to compensation of a case by quoting its file No."

3. In the appeal, appellant has stated that:-

"I am not satisfied with the reply of CPIO as he has not responded to query No.01 & 02 altogether and the reply of query no-03 is not in accordance with Section 25(2) & (3) (C) of the R.T.I. Act 2005 which provides for providing information relating to outcome of the appeals and he information regarding compensation is one of the components of outcome.

Besides, the information seeker may not be asked to state file number as has been sought by the CPIO.. "

Decision with reasons:-

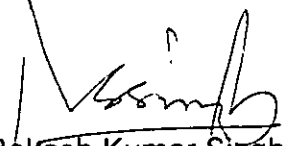
4. On perusal of the case file of RTI Cell, it is observed that Points 1 & 2 of the RTI application was transferred u/s 6(3) of the RTI Act to Department of Personnel & Training (DoPT) by CPIO, RTI Cell. Hence, appellant is advised to approach the concerned public authority.

5. As regards Point 3 is concerned, the information may be available on electronic data base of CIC, therefore, **Shri Krishan Avtar Talwar, CPIO & DS to CR-II is directed to seek assistance u/s 5(4) from CPIO(MR) and provide information to the appellant within 2 weeks from the date of receipt of the order.**

6. The appeal is, therefore, disposed off accordingly.

7. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 18th September, 2018.


(Rakesh Kumar Singh)
Additional Secretary & First Appellate Authority
Tel: 26162290

Copy to:-

1. The CPIO, RTI Cell, CIC, New Delhi.

Shri Krishan Avtar Talwar, CPIO & DS to CR-II, CIC, New Delhi.


19/09/18


Aut
19/09/18