



Central Information Commission
Room No. 107, Ground Floor, Baba Gangnath Marg,
Munirka, Near Old JNU Campus, New Delhi - 110 067

File No CICOM/R/2018/50296/CR-1

Date: 03.05.2018

To

Shri Harsharan Singh

Sub: Providing of information under RTI Act. 2005.

Sir,

I am to refer to your online RTI application dated 10.04.2018 which has been registered vide no. CICOM/R/2018/50296. It has been received through online RTI MIS in Central Registry on 27.04.2018.

Point wise reply to your above RTI is as follows:-

1 By using the compliant link available on the website of this Commission, your goodself filed a compliant demanding three prayes viz initiate Disciplinary action, impose maximum penalty and award compensation. Section 18 of RTI Act 2005 (which deals with complaints) **does not have a single word about. Compensation** and section 19 of RTI Act where said prayes may be considered; relates to appeal.

Here it would also be relevant to mention that the scope of the powers of the Commission u/s 18 of the Act came up for consideration of the Hon'ble supreme Court in Civil Appeal no. 10787-10788 of 2011 in CIC vs State of Manipur. The Apex Court, inter alia, held as under:-

" 37. We are of the view that section 18 and 19 of the Act serve two different purpose and lay down two different procedures and they provide two different remedies. One cannot be a substitute for the other."

Accordingly, by virtue of Commission's Decision dated 21.09.2017 (discussed in length in the Facilitation Memo referred to by you), your compliant was returned for facilitating resubmission.

Your goodself preferred to file a compliant accordingly it was registered as file no. CIC/BKON/C/2018/613655.

2 you may refer to section 18 of RTI Act. 2005 (available in public domain).

3 Yes, you may refer to reply to point no. 2 above.

Appeal, if any, against this reply will lie to Shri Rakesh Kumar Singh, First Appellate Authority & Additional Secretary, CIC, Room No 502, 5th Floor, Baba Gang Nath Marg, Munirka, Near Old JNU Campus, New Delhi-110067 within 30 days of receipt of reply of CPIO. His Telephone no. is 011-26162290, 26175295.

(Krishan Avtar Talwar)
Deputy Secretary & CPIO
Central Registry – 1

Copy to: - Shri Ashok Kumar Sharma, CPIO (RTI Cell), CIC, New Delhi.

(Krishan Avtar Talwar)
Deputy Secretary & CPIO