

# CENTRAL INFORMATION COMMISSION

Room No. – 308, 2<sup>nd</sup> Floor, August Kranti Bhawan,  
Bhikaji Cama Place, New Delhi – 110066.  
Website: cic.gov.in

Files No. CIC/KY/C/2016/000288

CIC/KY/C/2016/000289

Petitioner : Shri V. B. Khanna  
Office cum Resi.# 2063  
Sector-19-C, Chandigarh-160019 (UT)

Public Authority : The Superintendent Home-III & CPIO  
O/o. Home – III & Vigilance Department  
Chandigarh Administration, Sec-9-D  
UT Chandigarh-160009

Date of Hearing : 03.10.2016

Date of Decision : 03.10.2016

## Presence:

Petitioner : Shri V. B. Khanna, **Heard Telephonically**  
CPIO : Absent

## A) FACTS of File No. CIC/KY/C/2016/000288:

- I. Vide RTI application dated **06.05.2016**, the Petitioner sought information on **8 issues**.
- II. CPIO, vide its response dated **27.05.2016**, reportedly not provided the information to the Petitioner.
- III. The First Appeal (FA) is not on records.
- IV. First Appellate Authority (FAA), order is not on records.
- V. Grounds for the Petition filed on **08.07.2016**, are contained in the Memorandum of Petition.

## B) FACTS of File No. CIC/KY/C/2016/000289:

- I. Vide RTI application dated **12.05.2016**, the Complainant sought information on **9 issues**.
- II. CPIO, vide its response dated **27.05.2016**, reportedly not provided the information to the Complainant.
- III. The First Appeal (FA) is not on records.
- IV. First Appellate Authority (FAA), is not on records.
- V. Grounds for the Complaint filed on **08.07.2016**, are contained in the Memorandum of Complaint.

## HEARING

Petitioner was heard telephonically (Phone No. 09888812063) and he made the submissions at length. **Respondent opted to be absent despite of our due notice to them.**

## DECISION

After going through the nature of the prayer clause as mentioned in petitioner's petition, the Commissioner feels that Shri V. B. Khanna filed **petition in composite nature** whereby, the petitioner has sought **compensation** under **Section 19(8)(b)** and also the penal action along with disciplinary proceedings against the erring officials under **Section 20(1) & 20(2)** of the RTI Act 2005. Thus, this **petition may be legally construed as composite petition** in the light of provisions of RTI Act 2005.

2. By virtue of above, the Commission feels that the **composite petitions** of such nature **are not legally tenable**, simply because, if the compensation is allowed on such composite petition, the incorporation of Section 19(3) of the RTI Act 2005 **would be rendered as redundant and meaningless.**
3. Further, in other words, it may be stated here that the required information along with compensation, is legally permissible to be provided to the petitioner, if he wishes to file the petition u/s 19(3) of the RTI Act 2005 i.e. second appeal only before this Commission. Similarly, the reliefs provided under Sub Clause (1) & Sub Clause (2) of Section 20 of the RTI Act 2005, are legally permissible to be provided to the petitioner, in case, he wishes to file the petition u/s 18 of the RTI Act 2005 i.e. a complaint before this Commission and, however, **not in otherwise.**
4. By virtue of the above, the Commissioner feels that **in the absence of expressed & enabling** provisions under the RTI Act 2005 to file the **Composite Petitions**, the instant composite petitions are **devoid of merit** and deserve to be **dismissed.** Therefore, instant composite petitions are hereby dismissed subject to liberty to the appellant to file a separate petition as per Law.

The Petitions are dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

The Superintendent Home-III & CPIO  
O/o. Home – III & Vigilance Department  
Chandigarh Administration, Sec-9-D  
UT Chandigarh-160009

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