

# CENTRAL INFORMATION COMMISSION

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

File No. CIC/VS/C/2013/000448/KY

Complainant : Shri Lawrence John  
19-A, Anns Villa, Sahruda Nagar  
Vazhakkala, Trikakkara, Cochin-682021  
Kerala

Public Authority : The AGM (CPF) & CPIO  
M/o Consumer Affairs, Food Corporation of India, HQ  
16-20, Barakhamba Lane, New Delhi-110001

Date of Hearing : 20.09.2016  
Date of Decision : 20.09.2016

## Presence:

Complainant : Absent  
CPIO : Shri Ayush Sharma, Learned Advocate

## FACTS:

- I. Vide RTI application dated **12.01.2012**, the Complainant sought information on **4 issues**.
- II. CPIO, vide its response dated **27.01.2012**, has provided the information to the Complainant on issue no 2.
- III. The First Appeal (FA) was filed on **13.02.2012**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **16.03.2012**, upheld the decision of CPIO.
- V. Grounds for the Complaint filed on **19.08.2013**, are contained in the Memorandum of Complaint.

## HEARING

**Petitioner opted to be absent despite of our due notice to him.** Shri Ayush Sharma, Learned Advocate, on behalf of respondents appeared before the Commission personally and made the submissions at length.

## DECISION

After going through the nature of the prayer clause as mentioned in petitioner's petition, the Commissioner feels that Shri Lawrence John filed **petition in composite nature** whereby, the petitioner has sought the required information along with compensation and also the penal action against the erring officials under **Section 20(1)** 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 required information along with 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 Petition**, the instant composite petition is **devoid of merit** and deserves to be **dismissed** on this ground only.
5. However, apart from above, it is to be seen here that despite of our **due notice**, petitioner failed to appear **either in person** or through someone, duly authorized by him before the Commission to press his case. However, the Commission feels that petitioner must have appeared, in such situations, to press his petition before the Commission, after all, it is his case to be pursued specifically but petitioner is absent **deliberately**, despite of our due notice. Thus, it shows the intention of the petitioner that he is not interested, **at all**, in pursuing his own case before the Commission.
6. In view of the above, the Commission feels that **no fruitful purpose** would be served by proceeding **in such cases**. Thus, the Commission is of the considered view that it would be **appropriate and even justified** to **dismiss** the petition. Therefore, it is hereby **dismissed**.

The Petition is dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)

Deputy Secretary

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