

CENTRAL INFORMATION COMMISSION

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

File No. CIC/KY/A/2016/001174

Petitioner : Shri Prakash Anant Sevekari
Flat No. 6, Chandrangan, Plot-63
Mahesh Society, Bibwewadi, Pune-411037

Public Authority : The PIO
Corporate Affairs Ministry
The ICAI, Pune Chapter, Laxmi Nagar Commercial,
Phase-II, Shahu College Road, Pune-411009

Date of Hearing : 06.10.2016
Date of Decision : 06.10.2016

Presence:

Petitioner : Absent
CPIO : Sh. Sandeep Joshi, Appellate Authority, Heard through **Video Conference**

FACTS:

- I. Vide RTI application dated **28.01.2016**, the Petitioner sought information on **4 issues**.
- II. CPIO, vide its response dated **29.01.2016**, **11.02.2016** & **24.03.2016**, has provided the part information to the Petitioner.
- III. The First Appeal (FA) was filed on **25.03.2016**, as desired information not provided.
- IV. First Appellate Authority (FAA), vide its order dated **28.04.2016**, upheld the decision of CPIO.
- V. Grounds for the Petition filed on **02.07.2016**, are contained in the Memorandum of Petition.

HEARING

Petitioner opted to be absent despite of our due notice to him. Respondents was heard through Video-Conferencing 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 Prakash Anant Sevekari filed **petition in composite nature** whereby, the petitioner has sought the required information 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 the above, the Commission feels that the **composite petitions** of such nature **are not legally tenable**, simply because, if the penal action is allowed on such composite petition, the incorporation of Section 18 read with Section 20(1) 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 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. In view of the **position** above and in the **circumstances** of the case, 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 petition is hereby dismissed subject to liberty to the petitioner 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

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