

# **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/2015/000152**

**CIC/KY/C/2015/000154**

Petitioner : Dr. Deepak Juneja  
1208, Hemkunt House  
6, Rajendra Place, New Delhi-110008

Public Authority : The Dy. Director (Coordination) Lands  
DDA, Vikas Sadan, A-Block, INA, New Delhi-110023

Date of Hearing : 08.03.2016

Date of Decision : 08.03.2016

## **Presence:**

Petitioner : Dr. Deepak Juneja  
CPIO : Shri C L Roy, Dy. Director (Coordination) Lands

## **FACTS:**

- I. Vide RTI application dated **20.01.2015**, the Petitioner sought information on **3 issues**.
- II. CPIO, vide its response dated **30.01.2015, 03.03.2015, 10.03.2015, 10.04.2015, 10.06.2015, 25.06.2015 & 15.07.2015**, reportedly provided the information to the Petitioner.
- III. The First Appeal (FA) was filed on **03.06.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Petition filed on **17.08.2015**, are contained in the Memorandum of Petition.

## **HEARING**

Petitioner as well as respondent appeared before the Commission personally and made the submissions at length.

## **DECISION**

At the outset it is submitted by Petitioner that there are his **two petitions** dealt in file no. **CIC/KY/C/2015/000152, & CIC/KY/C/2015/000154** based on his RTI application of the same date i.e. dated **20.01.2015**. However, it further submitted by Petitioner that subject

matter in both RTI applications is **same**. Thus, in view of this, these two cases are being dealt together.

2. It is pertinent to mention here that Dr. Deepak Juneja, Petitioner, vide his petition dated **17.08.2015**, requested this Hon. Commission as under:

*“a) Imposing of penalty on CPIO (CL) u/s 20 (1) of the RTI Act for not responding to the RTI application in violation of section 7(1) of the said Act.*

*Recommend disciplinary action against CPIO (CL) u/s 20(2) of the RTI Act.*

*Imposing of penalty and recommendation of disciplinary action against FAA/ Director (CL) for not complying with the RTI Act by not responding and adjudication the first appeal.*

*Provide compensation to the complainant by DDA u/s 19(8)(b) for the acts of its official to the tune of Rupees fifty thousand for delaying in supplying the information and thus violating his fundamental right and also the mental agony and anguish caused to him.”*

3. In view of the nature of the prayer clause (supra), the Commissioner feels that Dr. Deepak Juneja, filed **petitions in composite nature** whereby, the petitioner has sought **compensation** under **Section 19(8) (b) of the RTI Act 2005** and also the **penal action** against the respondents under **Section 20(1) & 20(2) of the RTI Act 2005**. Thus, **these petitions may be legally construed as composite petitions** in the light of provisions of RTI Act 2005.
4. By virtue of 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 20(1) of the RTI Act 2005 **would be rendered as redundant and meaningless**.
5. Further, in other words, it may be stated here that the relief provided under section 19(8)(b) of the RTI Act 2005, 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**.
6. 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**.

The petitions are **dismissed** accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)  
Deputy Secretary

The Dy. Director (Coordination) Lands  
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