

CENTRAL INFORMATION COMMISSION
Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/C/2009/001713/6686
Complaint No. CIC/SG/C/2009/001713

Complainant : Mr. Ram Mohan Guptar
S/o Shri Kanchhi Lal Goel
R/o A-19, Palika Nivas
Lodi Colony, New Delhi-110003

Respondent : Public Information Officer
O/o the Director (PR)
NDMC, Palika Kendra
Parliament Street, New Delhi-110001

Facts arising from the Complaint:

Mr. Ram Manohar Kumar had filed a RTI application with the PIO, O/o the Director (PR), NDMC, on 16/09/2009 asking for certain information. Since no reply was received within the mandated time of 30 days, he had filed a Complaint under Section 18 of the RTI Act with the Commission. On this basis, the Commission issued a notice to the PIO, NDMC, Palika Kendra Parliament Street, New Delhi on 16/12/2009 with a direction to provide the information to the Complainant and further sought an explanation for not furnishing the information within the mandated time.

The Commission has neither received a copy of the information sent to the Complainant, nor has it received any explanation from the PIO for not supplying the information to the Complainant. Therefore, the only presumption that can be made is that the PIO has deliberately and without any reasonable cause refused to give information as per the provisions of the RTI Act. Failure on the part of the PIO to respond to the Commission's notice shows that there is no reasonable cause for the refusal of information.

Decision:

The Complaint is allowed.

The PIO is directed to provide the complete and correct information in regard to the RTI application dated 16/09/2009 to the Complainant before **24/02/2010**. Proof of dispatch of information should be sent to the Commission before **03/03/2010**. The PIO's action clearly amounts to denial of information without any reasons. The PIO is therefore, directed to submit a written explanation to show cause as to why penalty should not be imposed and disciplinary action be recommended against him under Section 20 (1) & (2) of the RTI Act before **03/03/2010**.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this order will be provided free of cost as per section 7(6) of RTI, Act, 2005.

Encl: RTI Application dated 16/09/2009.

Shailesh Gandhi
Information Commissioner
03/02/2010

