

CENTRAL INFORMATION COMMISSION
Club Building, Near Post office
Old JNU Campus, Opp. Ber Sarai Market
New Delhi - 110067.
Tel : + 91 11 26161796

Decision No. CIC/SG/C/2009/000304/3927
Complaint No. CIC/SG/C/2009/000304

Complainant : Mr. N.C. Bhati
2 j 20, Arawali Vihar
Alwar, Rajasthan
301001

Respondent : Public Information Officer,
Registrar of Firm and Societies
GNCT of Delhi
419, Patparganj Industrial Area
New Delhi-110092

Facts arising from the Complaint:

Mr. N.C. Bhati had filed a RTI application with the PIO at the Registrar of Firm of Societies, 419, Patparganj Industrial Area on 18/02/2009 asking for certain information. Since no reply was received within the mandated time of 30 days, he had filed a complaint under Section 18 to the Commission. The Commission issued a notice to the PIO on 06/04/2009 asking him to supply the information and 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 derived is that the PIO has deliberately and without any reasonable cause refused to give information as per the provisions of the RTI Act. His failure to respond to the Commission's notice shows that he has no reasons for the refusal of information.

Decision:

The Complaint is allowed.

The PIO is directed to provide the information to the Appellant before 20 July, 2009.

The issue before the Commission is of not supplying the complete, required information by the PIO within 30 days as required by the law.

From the facts before the Commission it is apparent that the PIO is guilty of not furnishing information within the time specified under sub-section (1) of Section 7 by not replying within 30 days, as per the requirement of the RTI Act. It appears that the PIO's actions attract the penal provisions of Section 20 (1) and Section 2 (2). He will submit written explanation to show cause why penalty should not be imposed on him for defying the provisions of the RTI Act, 2005.

Shailesh Gandhi
Information Commissioner
June 30, 2009.