

CENTRAL INFORMATION COMMISSION

**Room No. 415, 4th Floor,
Block IV, Old JNU Campus,
New Delhi - 110067.
Tel: + 91 11 26161796**

**Decision No. CIC /OK/C/2008/00249/SG/1720
Complaint No. CIC/OK/C/2008/00249/SG**

Complainant : Dr. P. Gahlaut
P.G.T. (Physics)
Vice President AINVSA
Lucknow, Uttar Pradesh

Respondent : Assistant Information Officer
NVS (Head Quarters)
New Delhi

Facts arising from the Complaint:

Dr. P Gahlaut had filed a RTI application with the PIO at the NVS (Head Quarters), Delhi on 18/10/2007 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 05/12/2008 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 will send the complete information to the complainant before March 10, 2009. The PIO's action clearly amounts to denial of information without any reasons. The PIO is therefore, asked to submit a written explanation showing 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 March 15, 2009.

If the information has already been supplied to the complainant, furnish a copy of the same to the Commission with your written submission.

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

**Shailesh Gandhi
Information Commissioner
February 17, 2009.**