

CENTRAL INFORMATION COMMISSION

August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F.No. CIC/YA/C/2015/000435

Date of Hearing : 23.02.2016
Date of Decision : 23.02.2016
Complainant/Appellant : **Shri Dinesh Chandra**
New Delhi
Respondent : **Sh. Shikhar Ranjan, Law Officer**
Medical Council of India, New Delhi.
Information Commissioner : **Shri Yashovardhan Azad**

Relevant facts emerging from complaint/appeal:

RTI application filed on : 16.03.2015
CPIO replied on : None
First Appeal filed on : No date
First Appellate Authority (FAA) order on : None
Complaint/ Second Appeal received on : 10.08.2015

Information Sought:

The applicant sought information about a letter dated 03.02.2015 addressed by him to the Director, MCI, Dwarka regarding appointment in Group "D" Post on compassionate ground.

Relevant facts emerging from hearing:

The Complainant filed an RTI application on 16.03.2015 seeking the above information which was not responded by the CPIO. However, the CPIO, MoHFW simply transferred the RTI application to the MCI vide a covering letter dated 23.03.2015. The undated First Appeal filed thereafter also proved futile since no response was received from the FAA.

During the hearing the Complainant reiterated all his contentions including emphasising the fact that there were Rules and Regulations for appointment of children of army personnel who have been rendered disabled in combat. The Respondent on the other hand submitted that though appointments in Grade D had been made, no appointment has been done on compassionate ground for the last ten years. Moreover the applicant had not specified as to information for what time frame he sought, hence for such an open ended question the appropriate response could not be furnished.

Decision:-

After hearing both parties and on perusal of record, the position emerges that since there were no appointments on compassionate ground in the last decade, hence information in this regard does not exist, to be furnished. However, there is no plausible explanation for complete silence on the part of the then PIO. The Designated Officer of this Bench is directed to issue Show Cause notice upon Sh. A K Harit, the then CPIO as to why penal proceedings may not be initiated against him for complete denial of information. Response to the Show Cause must reach the Commission within two weeks from the receipt of this order. In the event of non receipt of response within the stipulated period, the Commission shall proceed with the penalty proceedings, in due course of law, on the basis of information available on record.

The Complaint is disposed of accordingly.

(Yashovardhan Azad)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(B.D. Harit)
Deputy Secretary & Deputy Registrar

Copy to:-

Central Public Information Officer under RTI

Law Officer & CPIO,

Medical Council of India,

Pocket-14, Sector-8, Dwarka Phase-I,

New Delhi-110077.

Shri Dinesh Chandra

House No. - H-172,

Kali Bari Marg,

New Delhi-110001.