

CENTRAL INFORMATION COMMISSION
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Old JNU Campus, New Delhi - 110067
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Decision No. CIC/SG/A/2011/003275/16955
Appeal No. CIC/SG/A/2011/003275

Relevant Facts emerging from the Appeal

Appellant : Mr.A.L. Makhijani
President,
Forum For Good Governance (REgd)
AE-148, Shalimar Bagh,
Delhi-110088

Respondent : Dr. N.S. Rawat, CMO
CGHS
Central Govt. health Scheme,
Office of Addl/Director, North Zone,
New Rajender Nagar,
New Delhi-110060

RTI application filed on : 13/05/2011
PIO replied : 02/06/2011
First appeal filed on : 19/09/2011
First Appellate Authority order : 27/09/2011
Second Appeal received on : 16/11/2011

Information Sought:

Item wise amounts of the claim for Rs 11045 allowed by CGHS may be indicated in col.3 of the enclosed statement.

- (i) Items of the claim which have been completely disallowed by CGHS and reasons thereof.
- (ii) Particulars of the CGHS Circular(s) under which these items have been disallowed (copy to be provided). Please intimate of these circulars are available on the CGHS website.
- (i) Items which have been partially allowed and reasons there for.
- (ii) Particulars of the CGHS Circular(s) under which these items have been disallowed (copy to be provided). Please intimate of these circulars are available on the CGHS website.

Reply of the Public Information Officer (PIO):

PIO replied that the information , which is required by the applicant comprises of four sheets of A-4 size paper. Therefore applicant is said to deposit I.P.O Rs.8/- in the name of Pay &Accounts Officer, CGHS, New Delhi.

Grounds for the First Appeal:

Incomplete and unsatisfactory information provided by the PIO.

Order of the First Appellate Authority (FAA):

FAA replied that the appellant to visit the office of FAA by appointment for discussing the RTI of Appellant on any working day .

Grounds for the Second Appeal:

Incomplete and unsatisfactory information provided by the PIO and unfair disposal of the appeal by the FAA.

Relevant Facts emerging during Hearing:

Both the parties were given an opportunity for hearing. However, neither party appeared. From a perusal of the papers it appears that the information has not been supplied to the Appellant despite paying the additional charges of Rs.8/- demanded by the PIO.

Decision:

The Appeal is allowed.

The PIO is directed to provide the information to the Appellant before 05 February 2012.

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 appears that the PIO is guilty of not furnishing complete information within the time specified under sub-section (1) of Section 7 as per the requirement of the RTI Act. It appears that the PIO's actions attract the penal provisions of Section 20 (1). A showcause notice is being issued to him, and he is directed give his reasons to the Commission to show cause why penalty should not be levied on him.

He will give his written submissions showing cause why penalty should not be imposed on him as mandated under Section 20 (1) before **10 February, 2012. He will also send the information sent to the appellant as per this decision and submit speed post receipt as proof of having sent the information to the appellant, along with the copy of the information.**

This decision is announced in open chamber.

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.

**Shailesh Gandhi
Information Commissioner
19 January 2012**

(In any correspondence on this decision, mention the complete decision number.)(SH)