

**CENTRAL INFORMATION COMMISSION**

**Club Building (Near Post Office)**

**Old JNU Campus, New Delhi - 110067**

**Tel: +91-11-26161796**

**Decision No. CIC/SG/A/2011/002885/16546**

**Appeal No. CIC/SG/A/2011/002885**

**Relevant Facts emerging from the Appeal**

Appellant : Mr. R C Gupta  
(Social Activist & Journalist),  
R/o: F-130/7 (GF), Gautam Nagar,  
New Delhi – 110049.

Respondent : Dr. S. N. Deshpandey  
PIO & HOD (Medical Records)  
**Dr. Ram Manohar Lohia Hospital,**  
New Delhi.

RTI application filed on : 31-05-2011  
PIO replied : No reply  
First appeal filed on : 21-07-2011  
First Appellate Authority order : 02-09-2011  
Second Appeal received on : 03-10-2011

**Information Sought:**

1. Facilities and amenities available for the senior citizens and elderly persons as outdoor or indoor patients in RMLH as on date by the Govt. of India.
2. Number of beds reserved for senior citizens in each ward of Dr. RMLH as on date by the Govt. of India.

**Reply of the Public Information Officer (PIO):**

No information was provided to the appellant by the PIO.

**Grounds for the First Appeal:**

Non receipt of reply of RTI.

**Order of the First Appellate Authority (FAA):**

The CPIO is directed to provide the complete information directly to the applicant Sh. R C Gupta, Journalist. F-130/7 (GF) Gautam Nagar, New Delhi – 110049 under intimation to the undersigned immediately. It may be noted that, failure to submit the information is an offence under the Act and penalty @ Rs.250/- per day is liable to be levied for the each day of delay beyond the stipulated time.

**Grounds for the Second Appeal:**

Unsatisfactory information was provided by the FAA.

**Relevant Facts emerging during Hearing:**

The following were present

**Appellant:** Absent;

**Respondent:** Mr. Arvind Kumar, Deemed PIO & Dy. Director Administration;

The respondent admits that no information has been sent to the Appellant so far. The respondent has brought the information with him which the Commission is sending to the Appellant alongwith the decision.

**Decision:**

The Appeal is allowed.

The information has been provided during the hearing which is being sent to the Appellant with this order.

**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. He has further refused to obey the orders of his superior officer. The First Appellate Authority has clearly ordered the information to be given.

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 present himself before the Commission at the above address on **24 January 2012 at 4.30pm** alongwith his written submissions showing cause why penalty should not be imposed on him as mandated under Section 20 (1).

***If there are other persons responsible for the delay in providing the information to the Appellant the PIO is directed to inform such persons of the show cause hearing and direct them to appear before the Commission with him. If no other responsible persons are brought by the persons asked to showcause hearing, it will be presumed that they are the responsible persons.***

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  
23 December 2011**

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

**Attached copy of information dated 22/12/2011:**