

CENTRAL INFORMATION COMMISSION

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi-110066

Decision No. CIC/SS/A/2012/003939

Dated 20.07.2017

Appellant : Santhilal Joseph
103/B Wing, Pioneer Apartment, Near
Microwave Tower, Silvassa, Union Territory of
Dadra and Nagar Haveli- 396230

Respondent : The Central Public Information Officer
(CPIO), Deputy Secretary (Health), Dadra and
Nagar Haveli, Silvassa- 396230

Date of Hearing : 20.07.2017

Relevant dates emerging from the Appeal:

RTI application : 15.05.2012
First Appeal : 04.07.2012
FAA's Order : 31.08.2012
Second Appeal : 15.11.2012

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Deputy Secretary (Health), Dadra and Nagar Haveli, seeking information on two points pertaining to the Action Taken Report (ATR) and the inquiry report relating to his six complaints namely:

- a. O.M No.010/03/UTS/006/140582 from CVC, New Delhi.
- b. Letter no. P2/B/1507110048 from President's Secretariat.

- c. Letter No. U-13034/84/2011-CPD from Ministry of Home.
- d. Letter no: 19/3/2011-PMP3/300988 from PMO (Transferred by the Director, MHS, DNH vide No. MPH/IO/SSS/2010-11/2425
- e. Letter no. U-13034/84/2011-CPD from MOS Home (Transferred by the Director, MHS, DNH vide no. MPH/IO/SS/2010-11/2425
- f. Order no.: ADMR/VIG/DNH/PI/23/131 dated 08.12.2011 from Special Secretary (Vigilance), UT of DD/DNH in connection with complaint dated 27.05.2010 and petition dated 25.05.2010 of Smt. Sevi Santhilal, Ex-staff Nurse, VBCH of Silvassa.

2. The appellant filed a second appeal before the Commission on the grounds that despite the transfer of his RTI application to Shri R. K. Gaur, Deputy Secretary (Medical and Health Services) no information was furnished by the PIO. The appellant is also aggrieved with the non-compliance of the Order of the First Appellate Authority (FAA) by the Deputy Secretary (Health) and PIO. The appellant requested the Commission to direct the CPIO to provide the information sought in compliance with the Order of the FAA.

Hearing:

3. The appellant Shri Santhilal Joseph and the respondent were not present despite notice.

Decision:

4. The Commission, after perusing the records, observes that vide Order dated 20.08.2013 in File No. CIC/SS/A/2012/003938, the Commission had while hearing the second appeal in the matter of RTI application dated 15.05.2012 observed as follows:

“6. Commission observes that the information sought under the RTI application has not been provided by the CPIO inspite of clear directions of

the FAA. In this connection, Commission directs the CPIO to file his written submission in the matter before the Commission within 3 weeks of the receipt of this order. The Deputy Registrar will put up the matter on receipt of written submissions of the CPIO.”

In view of the foregoing observations, the Commission, on perusal of the records, observes that no written submission of the then Deputy Secretary (Medical and Health) and CPIO, Dadra and Nagar Haveli, Silvassa is available on the record. The Commission, therefore, directs the Registry of this Bench to issue a Show Cause Notice to the then Deputy Secretary (Medical and Health) and CPIO, Dadra and Nagar Haveli, Silvassa for explaining as to why action under Section 20(1) of the RTI Act should not be initiated against him. .

5. With the above observations, the appeal is disposed of.
6. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(S.S. Rohilla)
Designated Officer