

CENTRAL INFORMATION COMMISSION  
Block IV, 5<sup>th</sup> Floor, Old JNU Campus  
New Delhi 110067

Complaint No.CIC/PB/C/2008/00272

dated 21.11.2008

**Name of the Complainants/Appellant:** Dr. G.C. Sethi  
Sr. Consultant Surgeon  
A-1/170, Hastal Road  
Uttam Nagar, New Delhi-59.

**Public Authority:** Directorate of Health Services  
Govt of NCT of Delhi  
F-17, Karkardooma  
Delhi.

**Date of Hearing** 18.11.2008  
**Date of Decision** 21.11.2008

**Facts**

1. Complainant, Dr. G.C. Sethi submitted an RTI application Dep't of Nursing Homes, Directorate of Medical Health, CNCT Delhi, received and registered as **ID No.303** on 12.11.2007. Through the RTI application, he wanted to know as to *"what action had been taken on my complaint concerning unlawful medical practice by Dr. I.A. Ansari"* of Ansari hospital Sagarpur, New Delhi. He also asked as to what action had been taken against the said hospital for violation of rules and other unlawful acts mentioned in the said complaint.
2. The complainant was asked by the PIO Dr B Nath to deposit a fee of Rs.6/-, which was deposited on 26.12.2007. The applicant sent another letter on 31.1.2008 requesting the PIO to furnish information as more than one month had already passed since the deposit.
3. As no reply was received from the PIO, the applicant submitted a complaint petition before this Commission on 12.2.2008 praying for suitable legal action against the respondent.

4. This Commission by notice dated 21.8.2008 called the parties for a hearing on 16.9.2008.

5. The matter was heard by the Full Bench of the Commission on 18.11.2008. Although informed of the hearing appellant was not present. The respondent Dr NR Aggarwal, who is present submitted that they have already furnished the requested information on 13.2.2008. Respondent also submitted that there was some delay in supplying the information because the fee was deposited with cash section but the information about such deposit reached them late. They submitted that they have complied with the mandate of the Right to Information Act (RTI Act) by supplying information but the delay which has occurred in supplying information to the complainant is not intentional or deliberate but only due to delayed communication of information from their Cash Section.

### **DECISION NOTICE**

6. In view of the circumstances of the case, it is clear that no individual can be held to account for the delay in response. It is, however, regrettable that the public authority has no system in place whereby the CPIO is informed immediately a deposit is made on a specific case by the Cash Section in the same public authority, which should be automatic. We hereby direct the Director, Health Services, Government of NCT of Delhi us 19 (8) sub-section (a) to personally look into the matter and ensure that no undue delay is caused in transmitting information from the cash section to the PIO. The system should be so devised as to ensure that RTI applications are responded to within the time limit prescribed under the RTI Act.

The information sought having now been supplied there remains no further cause of action. The appeal stands disposed of accordingly.

Reserved in the in the hearing this Decision is announced in open chamber on 21.11.'08. Notice of this decision be given free of cost to the parties.

(Wajahat Habibullah)  
Chief Information Commissioner

(A.N. Tiwari)  
Information Commissioner

(Mrs. Padma Balasubramanian)  
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.

(Prem Singh Sagar)  
Assistant Registrar