

CENTRAL INFORMATION COMMISSION

Block IV, 5<sup>th</sup> Floor, Old JNU Campus

New Delhi 110067

Complaint No.CIC/PB/A/2008/00399 & 00626

dated 27.11.2008

**Name of the Appellant:** Shri Rajinder Prasad  
s/o Shri Rewati Lal  
18/71, Kalyan Puri, New Delhi-91.

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

**Date of Hearing** 18.11.2008

**Date of Decision** 27.11.2008

**FACTS**

1. Appellant, Shri Rajinder Prasad submitted two RTI applications each dated Nil to Director, Health Services GNCT Delhi and requested for information on the result of an examination conducted for Group `D' posts in Health Services as per Notification dated 9.5.1999 and merit list of successful candidates and appointments made.

2. PIO Dr B Nath, in his response dated 7.11.2007 gave the Appellant the requested information by enclosing therewith a list of candidates recommended for appointment to Group `D' post. However, by a subsequent reply dated 27.11.2007, the PIO informed the appellant that the records are not traceable. The appellant was not satisfied with the response of the PIO and submitted his first appeal to Director Health Services on 10.12.2007 asking —

- Why, how and under what circumstances the said records are not available?
- Where are those records presently?"
- How can we have the copy of the same?

3. Since the appellant received no order from the Appellate Authority, he submitted a 2<sup>nd</sup> appeal before this Commission praying for e supply of complete merit list of all candidates who appeared in the examination held by Directorate of Health Services, Government of NCT of Delhi vide Notification dated 6.3.2000 along with marks obtained by successful candidates. He prayed for imposition of

penalty for failure to supply information in time and for not supplying correct, exact and complete information. He also requested the Commission to recommend disciplinary action against the officials.

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

5. The Full Bench of the Commission on 18.11.2008 finally took up the matter. Appellant Shri Rajinder Prasad was present. The respondent Dr NR Aggarwal, who is present, submitted that the appellant is asking for records, which are not with them but with the Central Administrative Tribunal. In any case, the query of the appellant has been fully answered since the result of the examination has already been enclosed with the reply of the respondent dated 7.11.2007. Rejecting objection of the appellant that the appellant wanted details of marks, the respondent submitted that there was no such request in his RTI application.

#### **DECISION NOTICE**

6. There is, in fact, no request for supply of details of marks by the appellant in any of his RTI application. The respondents have already sent an elaborate list of candidates recommended for appointment to Group `D' post along with their letter dated 7.11.2007 and if the appellant wants further information as to details of marks obtained in the said examination, he is free to submit A fresh RTI application to concerned PIO. **For this reason the appeals are unsustainable and are hereby dismissed**

Announced on this the twenty seventh day of November, 2008. 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