

Central Information Commission

CIC/AD/C/2009/000957
Dated March 2, 2010

Name of the Applicant : Shri Sunil Kumar Jaiswal
Name of the Public Authority : A.I.I.M.S, New Delhi

Adjunct to CIC Decision dt.8.12.09

Background

1. The Point 7 of the captioned Order is reproduced below:
The Commission further noted that information was provided only on 7.10.09 and that Shri Attar Singh, CPIO has not provided any explanation for the delay of almost 45 days. In view of the fact that he was not present at the hearing to submit his explanation, the Commission gives him one more chance to show cause for the delay in providing the information and to explain why a penalty should not be imposed on him for the delay. He is directed to submit his explanation in person at 2.3.10.
2. The Bench of Mrs. Annapurna Dixit, Information Commissioner, scheduled the hearing on March 3, 2010.
3. Shri A.K.Nim, Admn. Officer and Shri Surjeet Singh, UDC represented the Public Authority.

Decision

4. The Commission received an explanation to the show cause notice from Shri Attar Singh, CPIO dt.26.2.10, in which he stated that the RTI application of Shri Sunil Kumar Jaiswal dt.6.7.09 was received on 14.7.09 and that on 20.7.09 he had requested the Financial Adviser, AIIMS and A.O, Estt. Section-II, AIIMS to provide the information to him. On receipt of the information vide letters dt.20.8.09 and 7.8.09 respectively, the same was immediately forwarded to the Appellant on 7.10.09. The CPIO further added that the Appellant in the meanwhile vide his letter dt.19.10.09 which was received on 21.10.09 had stated that information provided against point 4 was not complete and had requested for complete information. Financial Adviser, AIIMS was requested to provide the requisite information vide letter dt.13.11.09. Shri S.K.Gupta, Accounts Officer, AIIMS sent the requisite information vide letter dt.24.11.09 which was received on 26.11.09 and the same was furnished to the Appellant on 4.12.09.

- 5 While giving reason for the delay in providing the information between 20.8.09 and 7.10.09, the Respondent explained that the file was put up to the CPIO by Shri Surjeet Singh, Dealing Assistant on 18.9.09 and on 24.9.09, the CPIO amended the information. The final amended information which was put up to the CPIO on 29.9.09 was approved on 7.10.09 and duly sent to the Appellant on 7.10.09. The Respondents further added that Shri Surjeet Singh, Dealing Assistant is the only person who is looking after the RTI work and that till very recently he had no other support and hence has not been able to provide information on time. Additional manpower has since been provided to the Dealing Assistant.
6. The Commission on perusal of the explanation submitted and after hearing the submissions made during the hearing holds that delay in this case has taken place at different stages and mostly due to the Dealing Assistant. However, in view of the fact that the Commission has found the cause given by the Dealing Assistant for the delay in furnishing information to be reasonable, and also since the delay was not because of any deliberate attempt by the CPIO not to provide the information it condones the delay in putting up the file to the CPIO on the part of the Dealing Assistant and drops the penalty proceedings against the CPIO.

(Annapurna Dixit)
Information Commissioner

Authenticated true copy:

(G.Subramanian)
Asst. Registrar

Cc:

1. Shri Sunil Kumar Jaiswal
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2. Shri Attar Singh
The CPIO &
Chief Administrative Officer
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3. Officer incharge, NIC
4. Press E Group, CIC