

CENTRAL INFORMATION COMMISSION
BLOCK IV, OLD JNU CAMPUS, NEW DELHI 110067

F.No.PBC/06/085
19th September, 2006

Appeal No. 110/ICPB/2006
In the matter of Right to Information Act, 2005 – Section 19.

Appellant: Smt. Jyotsna

Public authority: Medical Council of India
Lt. Col. Dr. A.R.N. Setalvad, Secretary – CPIO.

FACTS:

By an application dated 13.4.2006 addressed to the Deputy Secretary, Medical Council of India, New Delhi, the appellant had sought information regarding the status of her husband's application dated 21.9.1999 sent along with Rs 500 for provisional registration u/s 25(1) of the Indian Medical Council Act, 1956, pending before the Council since then. Since she did not get any response from the CPIO, she filed an appeal on 20.5.2006. Since there was no response from the AA also, the appellant has filed this appeal on 24.6.2006. Comments were called for from the CPIO. In the comments it is stated that a reply has been sent to the appellant on 15.6.2006 stating that his application was not pending in the MCI and that he has to pass a screening test in terms of Screening Test Regulations, conducted by National board of Examination before his case is considered for grant of provisional registration under the IMC Act. It is also stated that in the Central Diary Register, there is no entry regarding the application from Shri Ajay Singh, and it is also contended that it would not be possible to answer whether, the amount of Rs 500 remitted along with the application has been encashed or not after 6 years. In the rejoinder, the appellant has enclosed a certificate from Syndicate Bank stating that the draft for Rs 500 taken by Shri Ajay Singh in favour of MCI was paid on 23.9.1999. Therefore, she contends that MCI cannot take a stand that the application of Shri Ajay Singh had not been received by it.

DECISION:

Along with the rejoinder, the appellant has enclosed a copy of a letter from MCI addressed to Shri Ajay Singh dated 8.3.2000, wherein it is stated “ *With reference to your letter dated 28.12.1999, on the subject noted above (Provisional Registration u/s 25(1) of the M.C.I. Act 1956), I am to enclose herewith an application form for Registration of Indian*

Nationals u/s 13(3) of the Indian Medical Council Act, 1956 and to request you to fill in the same and submit to this office duly signed by for further necessary action in the matter.” (MCI ref: 201(32)/99-Regn/39087 dated 8.3.2000). The appellant has not stated whether the said form was submitted or not and it is also not clear as to whether the said form is the prescribed form for Registration. Since the appellant has furnished a certificate from the bank regarding the encashment of the draft, and since the MCI reference is available in the above quoted letter, MCI will check up their records and find out the whereabouts of the application of Shri Ajay Singh dated 21.9.1999 and inform the appellant about the same within 3 weeks of this Decision.

I note that neither the CPIO or the AA has taken any steps to respond to the RTI application of the appellant and even the letter dated 15.6.2006 was not with reference to her application, but with reference to an application of Shri Ajay Singh dated 28.7.2005. MCI, being a public authority, should strengthen its RTI handling mechanism so that there is no undue delay in dealing with RTI applications.

The appeal is disposed of in the above terms.

Let a copy of this decision be sent to the appellant and CPIO.

Sd/-
(Padma Balasubramanian)
Information Commissioner

Authenticated true copy :

(L. C. Singhi)
Addl. Registrar

Address of parties :

1. Lt. Col. Dr. A.R.N. Setalvad, Secretary, Medical Council of India, Pocket 14, Sector 8, Dwarka, New Delhi 110075.
2. Smt. Jyotsna W/o Shri Ajay Singh, H.No. 1215 Prem Ganj, Sipri Bazar, Jhansi.