

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

File No.CIC/SA/A/2014/000444

Appellant : **Sh.Subhash Chandra Agrawal**

Respondent : **Directorate of Health Services,
GNCTD, Delhi**

Date of hearing : **25-11-2014**

Date of decision : **17-12-2014**

Information Commissioner : **Prof. M. Sridhar Acharyulu
(Madabhushi Sridhar)**

Referred Sections : **Sections 19(3) of the RTI Act**

Result : **Appeal allowed/
Disposed of**

The appellant is present. The Public Authority is represented by Dr. Lily Gangmei, Directorate of Health Services, GNCTD, Delhi.

FACTS:

2. The Appellant through his RTI application dated 18-09-2013 had sought for information in relation to news-item "Probe medical lapse that killed former CJI" Viz,
 - 1) Is it true that former CJI Justice MN Venkatachaliah is amongst 34 eminent citizens having demanded through his letter addressed to P.M to probe into the medical lapse which allegedly killed the former CJI Justice JS Verma.

- 2) Is it true that Smt Pushpa Verma, Wife of former CJI has also written a letter dated 06.07.2013 to PMO demanding a probe into the medical lapse which allegedly killed the former CJI.
- 3) Copies of the letter addressed to P.M as referred to in Point i & ii alongwith the related correspondence on action taken on the letter by PMO, and by concerned ones whereby these letter might have been forwarded,
- 4) Complete information together with related correspondence/file notings/documents on action taken on each aspect of submissions dated 17.09.2013 'Demand for probe into medical lapses in death of former CJI JS Verma' also e-mailed at PMO, by PMO and/or by public-authorities where such submission have been forwarded, etc.
- 5) Name of hospital where former Chief Justice of India Mr. Justice JS Verma breathed his last mentioning also amount of hospital-bill and person/body having paid the said medical-bill of the concerned hospital.
- 6) If yes, please provide details.
- 7) Has the hospital referred in query (5) above been provided any other facility or control either from Union government or from the concerned State Government?
- 8) If yes, please provide details.
- 9) Has the hospital referred in query (5) above been altered land from Government at some subsidised/institutional either from Union Government or from the concerned State Government?
- 10) Complete information on post-retirement benefits/facilities/pensions/perks/privileges etc. Including about medical facilities available to a retired Chief Justice of India and his/per family members especially including spouse.
- 11) Any other related information.
- 12) File notings on movement of RTI petition.

3. RTI application of the appellant was transferred Vide letter dated 20-09-2013, to the PIOs of other Departments. PIO, Directorate of Health Service to whom, the Petition of the appellant was transferred, replied on 10.12.2013 giving information in respect of Points 2 & 3 and for other points, the PIO stated that the information was not available with the Directorate.

4. Being unsatisfied with the information provided, the appellant preferred First Appeal on 14-12-2013. The FAA reply is not available on the file. Claiming non-furnishing of information sought, the appellant has approached the Commission in Second Appeal.

5. The appellant referred to the demand made by 34 eminent citizens to the Prime Minister for probing medical lapses that allegedly resulted in the death of former Chief Justice of India JS Verma. Earlier wife of the former CJI had also written a similar letter to the Prime Minister. Such letters from eminent citizens from all walks of life on death of a devoted and honest jurist whose post-retirement life in a rented house is indeed a matter of serious concern. While those having occupied high posts in legislative system get all types of government provided facilities including the government bungalows, secretarial assistance and health-care, there are no such post retirement facilities for even retired Chief Justice of the nation.

DECISION

5. Both the parties made their submissions. The appellant represented that his RTI application pertains not only to the Directorate of Health Services, GNCTD but also to the Union Ministry of Health and Family Welfare and Delhi Medical Council. He also submitted that his RTI application was originally addressed to the Prime Minister's Office, who transferred it to the Union Ministry of Health and Family Welfare, who in turn transferred it to the Directorate of Health Services, Govt of NCT of Delhi. The Directorate has given the information for the points pertained to them, and for the rest they transferred the application to the Delhi Medical Council.

6. The Commission, therefore, directs the PIOs of Union Ministry of Health and Family Welfare to supply information for points Nos. 4 to 9 of the RTI application and Delhi Medical Council, for point No.3, along with the related documents, to the appellant, free of costs, within 15 days from the date of receipt of this order. The appeal is disposed of.

(M. Sridhar Acharyulu)
Information Commissioner

Authenticated true copy

(Babu Lal)
Deputy Registrar

Address of the parties:

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