

Central Information Commission

Mr.Abhay Singh vs Employees State Insurance ... on 1 November, 2010

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

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Decision No. CIC/SG/A

Appeal No. CIC

Relevant Facts

emerging from the Appeal Appellant : Mr. Abhay Singh C/o Mr. Bhagwan Ram Muzaffar Nagar Medical College, Distt. - Muzaffarnagar, UP.

Respondent : Mr. B. D. Sharma Public Information Officer & Additional Commissioner Employees State Insurance Corporation Panchdeep Bhawan, CIG Marg, New Delhi - 110002.

RTI application filed on	:	02/04/2010
PIO replied	:	29/04/2010
First appeal filed on	:	21/05/2010
First Appellate Authority order	:	12/07/2010
Second Appeal received on	:	13/08/2010

Sl. Information Sought

1. a) Details of marks obtained by Mr. Abhay Singh (Roll No.19406208) in screening test held on

PIO's reply

a) The Candidate (R 78 numbers in s

12/07/2009. b) The candidate passed the screening test hence

b) Whether he had passed the examination. he was called for the interview.

c) Percentage of the marks obtained by the him. c) The candidate's had obtained 78% in the screening test.

2. a) Method by which the selection for the post of a) Appointment was done on the basis of marks nurse were done. obtained in the interview.

b) Total number for the screening test and b) Screening test and interview was carrying a interview examination and the method for the weight of 100 marks. selection based on the obtained mark in both c) Final selection was done on the basis of marks examinations along with details of rules in this obtained in the interview. regard.

c) Whether any change has been made after March-April'2009.

3. a) Details of period when the Applicant is a) The corporation was not bound to disclose the informed about the number obtained by him/her numbers obtained by all the candidates. The in

written and interview examination along with marks are informed only to the respective rule in this regard. If not, then the reason for the candidates. same. b) The candidate was not informed about their

b) Whether the Applicant was informed about the marks as there was no such rule. marks obtained by him. If yes, then the date and time. If not then reason for the same along with name and designation of the responsible officer.

4. a) Whether any candidate could be denied from a) Selection was done by preparing the merit list selection on the base of their marks in interview after the marks obtained in the interview. examination. Copy of the rule in this regard. b) Selection of candidates for the post of nurse

b) The method for the selection based on the was done on the basis of merit prepared on the obtained mark in both examinations along with marks obtained in the interview. details of rules in this regard.

5. a) Name, designation and address of the The information could not be disclosed under Section interviewee (1) (j) of the RTI Act, 2005.

b) Qualification of the interviewee

c) Whether all the interviewee belonged to managerial category. If no then the details of the same.

d) Details of movable and immovable property of all the interviewee acquired by them in last 10 years.

6. a) Details of marks obtained by the Appellant and a) List of marks obtained in interview was given all the Applicant in the interview examination (enclosed). along with mark given by the interviewee to all b) The candidate obtained 57% in the interview. the candidates in interview examination.

b) Name of the interviewee who gave the maximum no. to and minimum no. to the Appellant.

7. a) Reason for calling the Appellant to appear for The agency had sent the letter for the interview. Due the interview examination on 09/12/2009 by to some error in printing by the Agency, the wrong oral order while he was already called for the dated letter was sent to the candidate. In this regard same examination by letter dated 03/12/2009. action was being taken against the agency.

b) Name of the officer who was responsible for calling the Appellant twice for the interview examination along with his name, designation and address. Details of action taken against him by the department.

c) Responsible for the loss happened to the Appellant due to appearing for the examination twice. Details of action taken against him if any, and if no action taken then the reason for the same.

First Appeal:

Incomplete information received from the PIO.

Order of the FAA:

The FAA concurred with the reply given by the PIO.

Ground of the Second Appeal:

Unfair disposal of the Appeal by the FAA.

Relevant Facts emerging during Hearing:

The following were present Appellant : Mr. Abhay Singh on video conference from NIC-Mujaffar Nagar Studio; Respondent : Mrs. Raj Kumari Sabharwal, AD on behalf of Mr. B. D. Sharma, Public Information Officer & Additional Commissioner;

The same matter has already been decided vide decision no. Decision No. CIC/SG/A/2010/002040/9410 dated 17/06/2010. In continuation of the information provided earlier PIO states that there are no specific rules regarding conduct of selection by interview or written test. The PIO states that no changes have been made in the recruitment rules after 2009. The appellant states that according to an earlier RTI reply he had been informed that 60% weightage was given for written test and 40% for interview. In this RTI reply he has been informed that the written test is only a qualifying test and the selection is done only on the basis of interview. The PIO is directed to check how these two apparently contradictory informations have been provided to the appellant and clarify.

Decision:

The Appeal is allowed.

The PIO is directed to clarify the matter as stated above and send it to the appellant before 15 November 2010.

This decision is announced in open chamber. Notice of this decision be given free of cost to the parties. Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi Information Commissioner 01 November 2010 (In any correspondence on this decision, mention the complete decision number.)(GJ)