

Received on: 8.10.15 (2 pages)

RTI Matter/By Speed Post

Z.20015/2/2014-ME(P-I)
Government of India
Ministry of Health & Family Welfare

Nirman Bhawan New Delhi
Dated 26th December, 2013
2014

ORDER

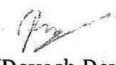
Subject: Appeal of Shri Mihir Banarjee, Kolkata against the information furnished by CPIO concerned in the Ministry of Health & Family Welfare in respect of his application dated 07/10/2014 under the RTI Act, 2005.

The appellant filed an application dated 07.10.2014 under the RTI Act, 2005. The respondent i.e the concerned CPIO in Ministry of Health & Family Welfare vide letter dated 31st October, 2014 responded to the appellant. Not satisfied with the response, the appellant has preferred this appeal.

Decision

I have examined the appeal along with the reply given by the CPIO vide letter of even no. dated 31.10.2014. The CPIO is bound to give only that information which is available with him under the RTI Act, 2005. The CPIO made best effort to trace out the letter of the particular date concerning Dr. Ved Prakash Mishra. Further, a letter dated 04.03.2014 from Joint Secretary to the President, MCI is enclosed in respect of point no. 4 (copy enclosed).

2. The appeal is, accordingly, disposed off.


(Devesh Deval)

First Appellate Authority & Deputy Secretary

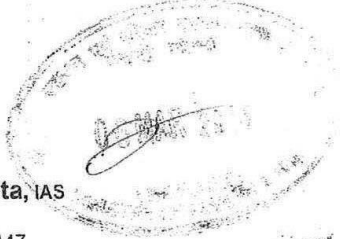
Shri Mihir Banarjee
Vice-President (PBT)
People for Better Treatment
1 Indira Roy Road, 1st Floor, Room No.9
Opp. Indira Cinema
Kolkata - 700025

Copy to:

- (i) Shri Amit Biswas, CPIO;
- (ii) RTI Cell



Vishwas Mehta, IAS
NT SECRETARY
efax : 011- 23061447
mail : vishwas.mehta@nic.in



भारत सरकार
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
निर्माण भवन, नई दिल्ली - 110011
Government of India
Ministry of Health & Family Welfare
Nirman Bhavan, New Delhi - 110011

D. O. No. V. 11025/26/2012-MEP-I (Pt)
Dated the 4th March, 2014

PLEASE ISSUE

Dear Dr. Mehta,

Kindly refer to my D.O. letter of even number dated 27.01.2014 and (copy enclosed) relating to creation of various posts in the Council, wherein it was inter-alia requested to furnish justification for appointment of 5 Consultants in the Council to this Ministry for consideration and also to stop creation of posts in the Council in violation of the directions of DoE and also stop promotions to such posts. However, the Action Taken Report in this regard is still awaited in the Ministry.

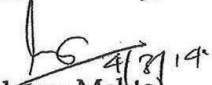
Further, it has also been come to the notice of this Ministry that the Council has appointed some **Advisors to the President**, Medical Council of India (MCI). As you may be aware that there is no such provision of appointment of Advisors in IMC Act, 1956 and the regulations made thereunder. The IMC Act, 1956 only provides for appointment of Committees to assist the Council. The Ministry is concerned about the appointment of Advisor or any other individual who is not a member of the Council. Such appointment is not as per provisions of the Act and hence not considered legal in the performance of the regulatory functions of the Council.

In view of this, I would like to request you to cancel all such appointments which are not authorized by the Act, with immediate effect and inform this Ministry about the action taken in this regard.

Receipt of this letter be acknowledged.

with regards,

Yours sincerely,


(Dr. Vishwas Mehta)

Encl: As above

Dr. Jayshree Mehta
President
Medical Council of India
Pocket- 14, Sector- 8