

CENTRAL INFORMATION COMMISSION

August Kranti Bhawan, Bhikaji Cama Place,
New Delhi-110066

F. No. **CIC/YA/A/2016/000029**

Date of Hearing : **30.11.2016**
Date of Decision : **01.12.2016**
Appellant/Complainant : **Shri Anil Kumar Sinha,
NOIDA(U.P.)**
Respondent : CPIO, Dr. Ram Manohar Lohia
Hospital, Delhi
Through:
Dr. A K Sen, Principal Consultant
Shri Shambhu Kumar, CPIO for
RML Hospital
Dr. Tarun Kumar, CMO(EMR)
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

RTI application filed on : 20.07.2015
PIO replied on : 28.08.2015
First Appeal filed on : 20.09.2015
First Appellate Order on : 03.10.2015
2nd Appeal/complaint received on : 17.12.2015

Information sought and background of the case:

The appellant vide RTI application dated 20.07.2015 sought information under 4 points as follows:

- 1. When the Ex-PM Cell was set up in RML Hospital?*
- 2. Name the Former Prime Ministers who availed the services of Doctors/Paramedical Staff posted in Ex PM Cell and when?*
- 3. Total number of staff posted in Ex-PM Cell. Incentive given to staff manning the Ex-PM Cell.*
- 4. Inspection of relevant records.*

CPIO vide letter dated 28.08.2015 stated as under:

Information will be provided by CMO(EMR), Dte. G.H.S Ministry of Health, Nirman Bhawan, New Delhi and the said RTI has been forwarded by Ministry of H & F.W vide their letter dated 30.3.15.

The appellant preferred first appeal which was upheld the FAA. The operative portion of FAA order is reproduced hereinafter:

Therefore, CPIO i.e DDA, Dr. RML Hospital is hereby directed to re-examine his RTI application dated 20.07.2015 and provide information to the extent possible under provision of RTI act 2005 to the applicant within stipulated time under intimation to undersigned.

Feeling aggrieved over non compliance of FAO, the appellant approached the Commission.

Relevant facts emerging during hearing:

The appellant is absent despite notice. The respondents are present and heard. The CPIO Dr. RML Hospital states that a reply was sent to the appellant in compliance of the FAO regarding all the queries. He states that the query no. 1 and 3 pertained to the EMR Division, DGHS at Nirman Bhavan and rest of the queries could not be answered since the same were within the exemption of 8(1)(e) of the RTI Act, 2005. The CPIO EMR, DGHS states that query no. 1 & 3 were answered on 19.07.2016 since there was communication gap between the answering CPIOs and regret the same. Both the CPIOs placed relevant documents before the Commission in support of their averment and the same are taken on record.

Decision:

After hearing the respondents and perusal of record, the Commission is of the considered view that query no. 1 has been answered adequately however, point no. 2 & 3 needs to be answered cogently. The query no. 4 is not precise and as such no direction for a blanket disclosure can be issued.

The CPIO, Dr. RML Hospital is directed to furnish information on points no. 2 & 3 within 2 weeks of receipt of this order. Needless to say that only names of beneficiary former Hon'ble Prime Ministers and the staff posted at the Ex-PM Cell shall be disclosed.

The appeal is allowed in the aforesaid terms.

(Yashovardhan Azad)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(R.P.Grover)
Designated Officer

Copy to:-

Central Public Information Officer under RTI
Shri Chandra Shekhar – Dy. Dir.-Admn. & CPIO,
Dr. Ram Manohar Lohia Hospital,
P.G.I. of Medical Education & Research,
Baba Kharak Singh Marg, New Delhi-110001.

First Appellate Authority under RTI
Dr. A. K. Sen / HoD–Laboratory,
Dr. Ram Manohar Lohia Hospital,
Baba Kharak Singh Marg,
New Delhi-110001.

Central Public Information Officer under RTI
CPIO & CMO – (EMR),
Directorate General of Health Services
(Emergency Medical Relief),
Nirman Bhawan, New Delhi-110001.

Shri Anil Kumar Sinha
A-81, Kendriya Vihar,
Sector-51,
NOIDA-201301 (U.P.).