

CENTRAL INFORMATION COMMISSION

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

F. No. **CIC/YA/A/2016/001729**
CIC/YA/C/2016/000098
CIC/YA/A/2016/000346
CIC/YA/A/2016/000484
CIC/YA/A/2016/000485
CIC/YA/A/2016/000486

Date of Hearing : **16.02.2017**
Date of Decision : **16.02.2017**
Appellant/Complainant : Shri Niranjana Rathi, Delhi
Respondent : RML Hospital – 001729
AIIMS - 000098
Safdarjung Hospital – rest all
Through:Dr. Sanjeev Mahajan &
Dr. Sandeep Sharma – Safdarjung
Dr. Yashwant Singh, Dr. A K Sen –
RML
Information Commissioner : Shri Yashovardhan Azad

Relevant facts emerging from appeal:

Case No.	Filed on	PIO reply	First appeal	FAO
001729	24.02.2016	29.03.2016	29.03.2016	07.04.2016
000098	05.09.2015	07.10.2015	---	-
000346	08.09.2015	23.09.2015	27.10.2015	
000484	08.09.2015	22.09.2015	27.10.2015	-
000485	08.09.2015	22.09.2015	27.10.2015	-
000486	08.09.2015	23.09.2015	27.10.2015	-

Since the captioned appeals have been filed by the same appellant and involve similar queries, they are clubbed for the purpose of adjudication

Information sought and background of the case:

CIC/YA/C/2016/001729

The applicant filed an RTI application dated 24.02.2016 seeking information with regard to all tenders opened since 2005 till date for the purchase of all type of linen items. He sought the detail of Earnest money & security money

dues submitted by all participant firms against all tenders opened since 2005 till date for the purchase of all type of linen items alongwith photocopies of the same.

CPIO replied by letter dated 29.03.2016 requesting the appellant to visit the Respondent to inspect the records and take copies of the same upon payment of fees. Meanwhile the appellant filed a First appeal dated 29.03.2016 which was duly disposed of by the FAA vide order dated 07.04.2016. Still not satisfied, the appellant preferred the instant Second appeal before the Commission.

Relevant facts emerging during hearing:

During the hearing only the Respondents appeared and reiterated their case that information sought by the appellant was found voluminous and hence the appellant had been offered inspection of the relevant files. However the Appellant declined to inspect the records and instead approached the Commission.

Decision:

In view of the facts of the case, after hearing submissions of the Respondent and upon perusal of record, the Commission finds that the RTI application has been correctly dealt with by the Respondent. Appellant does not appear interested in obtaining the information and has not bothered to appear. No further action in this case is found necessary.

CIC/YA/C/2016/000098

The applicant filed an RTI application dated 05.09.2015 seeking information with regard to tenders No. XX-28/SO(DO)/Linen items/2014-2015/St. opened on 15.07.2014 for the purchase of various types of Hospital linen items alongwith comparative statement of rates of other participants, documents and photocopies of all proceeding notes with officers remarks etc. CPIO vide letter dated 07.10.2015 requested the appellant to visit the Respondent to inspect the records and take copies of the same upon payment of fees. This was followed by two reminders sent by the appellant on 21.10.2015 and 11.01.2016, which were disposed of by the FAA's order dated 19.01.2016. Hence, the appellant preferred the instant Second appeal before the Commission.

Relevant facts emerging during hearing:

During the hearing only the Respondents appeared and reiterated their case that information sought by the appellant was found voluminous and hence the appellant had been offered inspection of the relevant files. However when

the Appellant declined to inspect the records, some information in the form of comparative statement of rates have been provided to the appellant, while rest have been denied on account of the same being third party information.

Decision:

In view of the facts of the case, after hearing submissions of the Respondent and upon perusal of record, the Commission finds that the RTI application has been correctly dealt with by the Respondent. Appellant has not bothered to appear despite advance notice. No further action in this case is found necessary.

CIC/YA/C/2016/000346

The applicant filed an RTI application dated 08.09.2015 seeking information with regard to tenders No. L-13/Group-A/GS/2014-15 opened on 27.10.2014 for the purchase of various types of Hospital linen items since 2005 till date alongwith comparative statement of rates of other participants, documents and photocopies of all proceeding notes with officers remarks etc. CPIO vide letter dated 23.09.2015 provided copy of the comparative statement of rates of participants to the said tender while denying remaining information under section 8 (1)(d) of the RTI Act. The appellant filed a First Appeal dated 27.10.2015 which was not disposed of. Hence, the aggrieved appellant preferred the instant Second appeal before the Commission.

CIC/YA/C/2016/000484

The applicant filed an RTI application dated 08.09.2015 seeking information with regard to tenders No. L-3/GS/2015-16 opened on 10.08.2015 for the purchase of various types of Hospital linen items since opening of the tender till date alongwith comparative statement of rates of other participants, documents and photocopies of all proceeding notes with officers remarks etc. CPIO vide letter dated 23.09.2015 denied all the information stating that the file is under process. The appellant filed a First Appeal dated 27.10.2015 which was not disposed of. Hence, the aggrieved appellant preferred the instant Second appeal before the Commission.

CIC/YA/C/2016/000485

The applicant filed an RTI application dated 08.09.2015 seeking information with regard to tenders No. L-3/GS/2015-16 opened on 03.08.2015 for the purchase of various types of Hospital linen items since opening of the tender till date alongwith comparative statement of rates of other participants, documents and photocopies of all proceeding notes with officers remarks etc.

CPIO vide letter dated 23.09.2015 provided copy of the comparative statement of rates of participants to the said tender while denying remaining information under section 8 (1)(d) of the RTI Act. The appellant filed a First Appeal dated 27.10.2015 which was not disposed of. Hence, the aggrieved appellant preferred the instant Second appeal before the Commission.

CIC/YA/C/2016/000486

The applicant filed an RTI application dated 08.09.2015 seeking information with regard to tenders No. L-16/Group-B/GS/2014-15 opened on 10.10.2014 for the purchase of various types of Hospital linen items since opening of the tender till date alongwith comparative statement of rates of other participants, documents and photocopies of all proceeding notes with officers remarks etc. CPIO vide letter dated 23.09.2015 provided copy of the comparative statement of rates of participants to the said tender while denying remaining information under section 8 (1)(d) of the RTI Act. The appellant filed a First Appeal dated 27.10.2015 which was not disposed of. Hence, the aggrieved appellant preferred the instant Second appeal before the Commission.

Relevant facts emerging during hearing:

During the hearing only the Respondents appeared to the exclusion of the appellant. Deliberation on each individual case reveals that the RTIs have been appropriately dealt with by the Respondent. Information as permissible in the Act have been provided by the Respondent while those that are likely to compromise the competitive position of a Third party have been rightly denied invoking provisions of Section 8 (1)(d) of the RTI Act.

Decision:

After hearing parties and perusal of record, the Commission notes that the Respondents have dealt with the aforementioned cases appropriately applying the relevant provisions of the RTI Act. The appellant is not present to canvass his case, while he has sought such voluminous information from different Public Officials through six different cases. In the circumstances, there appears no reason to interfere with the orders of the PIO.

The appeals are accordingly disposed of.

(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:-