

CENTRAL INFORMATION COMMISSION
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Decision No. CIC/SG/A/2010/000162/7035
Appeal No. CIC/SG/A/2010/000162

Relevant Facts emerging from the Appeal:

Appellant : Mr. Vijay Kumar Garg,
R/o F -49, Vishal Colony,
Nangloi, Delhi -110041.

Respondent : Public Information Officer
Deen Dayal Upadhyay Hospital,
Govt. of NCT of Delhi,
Hari Nagar, New Delhi – 110064.

RTI application filed on : 16-08-2009
PIO replied : 30-09-2009
First appeal filed on : 29-09-2009
First Appellate Authority order : Not replied
Second Appeal received on : 19-01-2010
Date of Notice of Hearing : 01/02/2010
Hearing Held on : 05/03/2010

The Appellant had sought following information from PIO – Deen Dayal Upadhyay Hospital :

S. No.	Information sought.	The PIO's reply
1.	How many beds in hospital? Clarify category wise :- Gen., Emergency, ICU etc.	640 numbers of beds are available in hospital.
2.	How many doctors are appointed in your hospital? Give names, degree, category wise – MBBS, BMS, BDS, they are regular or not.	Regular doctors – 66. Contractual doctors – 58. JR doctors – 170. SR doctors – 147. Need some time for degree wise explanation.
3.	How many staff nurses are working in your hospital other than doctors? Tell number as per the post.	Four (4) pages reply had been provided related to this information to the appellant.
4.	What facilities are given free to the patient in your hospital? Give details like: - ultrasound, X-ray, medicines and any others facilities.	All facilities are given free of cost in this hospital. Very reasonable fee is taken for Ultrasound, CT Scan, and Echo-cardiograph but for a person living down the poverty line is available free all facilities.
5.	What is OPD time?	Mon. to Fri– 9am to 12. Noon. Saturday – 9am to 11am Sunday – CLOSED.
6.	How much yearly budget of the hospital? Give details of 2008 & 2009.	Budget copy (1) had been provided to the appellant.
7.	Who is the MS in hospital? What is his	Dr. Jilay Dar is MS of the hospital.

	room no. telephone nos. and time to meet?	Anybody / publically can meet to him any working day.
8.	Is free parking facility in hospital? Any charge is fixed for paying parking.	Parking is free of cost.
9.	Are disability certificates issued in this hospital? Give application format, doctors penal etc.	West and South West disability certificates only for Eye Deptt., ENT Deptt., Ortho. Deptt., & Medicine Deptt. are made by DDU Hospital. An application format is provided to the appellant with this letter.
10.	How many people were treated in hospital by OPD, Emergency in the yrs. of 2008-2009? Give details of admitted patient.	Number of patients :- through OPD – 903823 IPD – 60092 Emergency – 228486.
11.	How many types of medical certificates are made by this hospital? Give all details.	All certificates are made by the hospital according to rule and regulation.
12.	How many departments in this hospital? Give category wise all details. Name, room Nos. and name of the doctor's chief	22 departments in the hospital. Name and phone nos. are provided to the appellant with this reply.
13.	Name of concerned officer, telephone number, room number, complaint room, emergency telephone number of vigilance department related to hospital. Tell name of Chief Medical officer.	Vigilance officer's name – Dr Praveena Goyal. Phone No – 2594402 to 8 (lines). Extn. Nos -202 Vigilance Department Phone nos. 25494402 to 8(lines). Extn. 224.
14.	If any corrupt employee found in hospital, what kind of action is taken by the hospital? Where can be filed a complaint against him. What action will be taken against?	Like these complications / complaints can be contact to vigilance department on these cases are taken a necessary action by the department.
15.	Is available ambulance service in your department? How many ambulances have the hospital? If, anybody had to need ambulance in an emergency, where will have to contact? Please provide name and place to contact.	Ambulance service is available in the hospital. Hospital has two Ambulances & two ambulances will come recently to the patient service. An emergency, contact can be done to CMO Casualty Dr. J P Singh his phone no. is 9718990178.

Ground of the First Appeal:

Appellant is not satisfied with the PIO's reply.

Order of the FAA:

No order passed by FAA.

Ground of the Second Appeal:

Dissatisfied information had been provided by the PIO and no any order passed by FAA.

Relevant Facts emerging during Hearing:

The following were present:

Appellant : Mr. Vijay Kumar Garg;

Respondent : Absent;

The First Appellate Authority Medical Superintendent Deen Dayal Upadhyay Hospital is guilty of dereliction of duty since he had not passed any order in the matter.

The First Appellate Authority Medical Superintendent Deen Dayal Upadhyay Hospital is directed to send his explanation to the Commission before 30 March 2010, why the Commission should not recommend disciplinary action against him for dereliction of duty.

The following information has not been given to the appellant and hence the information originally by the PIO was incomplete. The PIO is directed to give the following information to the appellant.

- 1- Query-1: Categories of the bed.
- 2- Query-2: The qualifications of the doctors in the hospital.
- 3- Query-3: The staff list mentioned in the reply of 4 pages was not attached with the information provided. This will be provided.
- 4- Query-4: The schedule of fees should be provided.

Decision:

The Appeal is allowed.

The PIO is directed to give the information as mentioned above to the Appellant before 25 March 2010.

The issue before the Commission is of not supplying the complete, required information by the PIO Dr. S. P. Barua within 30 days as required by the law.

From the facts before the Commission it is apparent that the PIO Dr. S. P. Barua is guilty of not furnishing information within the time specified under sub-section (1) of Section 7 by not replying within 30 days, as per the requirement of the RTI Act. It appears that the PIO's actions attract the penal provisions of Section 20 (1).

A showcause notice is being issued to him, and he is directed give his reasons to the Commission to show cause why penalty should not be levied on him.

Dr. S. P. Barua will present himself before the Commission at the above address on **13 April 2010 at 11.30am** alongwith his written submissions showing cause why penalty should not be imposed on him as mandated under Section 20 (1). He will also submit proof of having given the information to the appellant.

If there are other persons responsible for the delay in providing the information to the Appellant the PIO is directed to inform such persons of the show cause hearing and direct them to appear before the Commission with him.

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
05 March 2010

(In any correspondence on this decision, mention the complete decision number.) (BK)