



**Jammu and Kashmir State Information Commission**  
(Constituted under Right to Information Act 2009)  
Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262  
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937  
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File No: SIC/J/A/22/23/2013  
Decision No: SIC/J/A 22/23/2013/144

Sh. Avinash Razdan	.....Appellant	Present
Dr. J.P. Singh Prof. & Head, P.G. Department of Medicine Govt. Medical College, Jammu.		Present
Sh.Mansoor Aslam Choudhary	.....PIO	Present
Personnel Officer, Associated Hospitals, Jammu.		
Dr. Sanjeev Gupta I/C Officer Control Room, GMC, Jammu.		Present

**Jammu**  
**30-05-2013**

Briefly the facts in these appeals are that Sh. Avinash Razdan R/o 783, Subash Nagar, Jammu moved applications dated 06-11-2012 & 29-09-2012 under J&K Right to Information Act, 2009 before the PIO, Government Medical College, Jammu seeking the following information among others:-

(i). *Information is sought regarding Emergency-Duty Rosters of Consultant Doctors and any notified change therein or any notified replacement in Post-Graduate Department of Medicine for the following months:-*

- a. 01-01-2008 to 31-01-2008*
  - b. 01-02-2008 to 28-02-2008*
  - c. 01-03-2009 to 31-03-2009*
  - d. 01-04-2009 to 30-04-2009*
  - e. 01-08-2010 to 31-08-2010*
  - f. 01-09-2010 to 30-09-2010*
  - g. 01-04-2011 to 30-04-2011*
  - h. 01-05-2011 to 30-05-2011*
  - i. 01-11-2011 to 30-11-2011*
  - j. 01-12-2011 to 31-12-2011*
- (ii). *Information is sought regarding duty Rosters of Consultants on call & evening rounds on aforesaid Emergency days.*
- (iii). *Information is sought regarding any notified change of Emergency duty/Duties in the Emergency Rosters of the mentioned months in above information sought in point No. (i).*
- (iv). *Information is sought regarding any notified replacement arranged in Emergency Duty/Duties in the Emergency Rosters of the mentioned months of the above information sought in point No. (i).*
- (v). *Information is sought regarding any notified change of Duty Rosters of Consultants on Call and Evening Rounds on Emergency Days of the mentioned months in above information sought in point No. (ii).*
- (vi). *Information is sought regarding any notified replacement arranged in Duty Rosters of the Consultants on Call and Evening Rounds on Emergency Days of the mentioned months in above information sought in point No. (ii).*
- (vii). *Information is sought regarding the Emergency I.C.U Duty Rosters of consultants on aforesaid months.*
- (viii). *Information is sought regarding any notified change in the Emergency Duty Roster of the ICU in the mentioned months sought in point No. vii.*
- (ix). *Information is sought regarding any replacement arranged in the Emergency Duty of I.C.U in the mentioned months sought in point No. vii.*

In response to the aforesaid applications some information was provided to the information seeker. But feeling aggrieved of the information provided to him, the information seeker filed 1<sup>st</sup> appeals dated 06-11-2012 & 12-12-2012 before the 1<sup>st</sup> Appellate Authority for Govt. Medical College, Jammu. The said 1<sup>st</sup> appeals of the information seeker were disposed by FAA vide order dated 26-12-2012. The 1<sup>st</sup> Appellate Authority for GMC passed one line order which is as under:-

*"Furnish the information as desired by the applicant".*

Aggrieved by the said unreasoned order the information seeker filed 2<sup>nd</sup> appeals dated 04-02-2013 before the Commission. The I/C Officer Control Room, GMC, Jammu and Dr. J.P. Singh, H.O.D. Post-Graduate Department of Medicine, GMC, Jammu were also summoned. Both were present along with PIO on the last date of hearing which was held on 08-05-2013. During the course of hearing held on that day Dr. J.P. Singh and Dr. Sanjeev Gupta I/C Officer Control Room, GMC made a statement before this Commission that all the information which was available in record of GMC has already been provided to the information seeker and the rest of the information which could not be provided to the information seeker is not available in the record of GMC. The said officials were directed to file affidavits before this Commission to the effect that the information which was not provided to the information seeker is not forthcoming from the record of GMC and in response to the said direction I/C Control Room, GMC and one Manhor Lal Sharma have filed affidavits to the said effect. The affidavit filed by Sh. Manohar Lal Sharma has been counter signed by Dr. J.P. Singh. The said

officials have, thus, amply proved that the information which was not provided to the information seeker is not available in the record of GMC, Jammu under the provisions of RTI Act. PIO cannot be directed to provide that information which is not available in the official record as such second appeal filed by the information seeker is accordingly disposed of. During the course of proceedings held today, the information seeker requested that he may be given an opportunity to inspect the record in the office of HOD Medicine. Keeping in view his request the PIO and Dr. J.P. Singh, HOD Medicine are hereby directed to provide the facility to the information seeker to inspect the record on 3<sup>rd</sup> and 5<sup>th</sup> of June, 2013 during office hours and furnish him the photocopies of relevant documents, if available in the office record, free of cost under an intimation to the Commission.

Notice of this decision be given free of cost to the parties.

**Sd/-**  
**Dr. S.K. Sharma**  
State Information

Commissioner

Copy to:

1. Dr. J.P. Singh, Prof. & Head, P.G. Department of Medicine Govt. Medical College, Jammu.
2. Public Information Officer / Sh. Mansoor Aslam Choudhary Personnel Officer / Associated Hospitals, Jammu.
3. Dr. Sanjeev Gupta, I/C Officer Control Room, GMC, Jammu.
4. Sh. Avinash Razdan R/o 783, Subash Nagar, Jammu.
5. Guard File.

**Jang Bhadur**  
Joint Registrar  
State Information Commission