



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

www.jksic.nic.in

File No: SIC/J/C/32/2012
Decision SIC/J/C/32/2012/243

Sh. Vilakshana Singh Advocate	Complainant	Present
Dr. Shashi Gupta Principal Government Medical, Jammu.	FAA	Present
Sh. Mansoor Aslam Choudhary Personnel Officer, Govt. Medical College & Associated Hospitals, Jammu.	PIO	Present

Jammu

26-08-2013

Briefly the facts in this complaint are that Sh. Vilakshana Singh, Advocate J&K High Court S/o Lt. Sh. Jagdish Singh Dogra R/o Sidhra Bypass, Opposite Eicher Workshop, Sidhra, Tehsil & District Jammu moved an application dated 24-12-2012 under J&K Right to Information Act, 2009 before the PIO Government Medical College & Associated Hospitals, Jammu seeking the following information:-

1. *Kindly state the Powers and the functions of the following dignitaries in the Medical College, Jammu.*
 1. *Principal* ii. *Medical Superintendent* iii. *Medical Officer (Stores).*
2. *State the powers and duties of officers and employees of the Government Medical College & Associated Hospitals, Jammu.*
3. *State the procedure followed in the decision making process in the Government Medical College & Associated Hospitals Jammu.*

4. *State the norms set by it for the discharge of its functions*
5. *State the list of rules, regulations instructions, manuals and records held by or under the control of or used by Government Medical College & Associated Hospitals, Jammu and employees thereof for discharging their functions*
6. *Provide me a copy of statement of the categories of documents that are held by or under the control of Government Medical College & Associated Hospitals, Jammu.*
7. *Provide me the particulars of any arrangement that exists for consultation with, or representation by the members of the public in relation to the formulation of policy in government Medical College & Associated Hospitals, Jammu or implementation thereof*
8. *Provide me a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as part of Government Medical College & Associated Hospitals, Jammu or for the purpose of its advice, and also state as to whether meetings of those boards, councils, committees and other bodies are open to the public or the minutes of such meetings are accessible for public.*
9. *Kindly state whether the Government Medical College & Associated Hospitals, Jammu has maintained a directory of its officers and employees; the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations.*
10. *Kindly state whether the Government Medical College & Associated Hospitals, Jammu has maintained the details of the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made.*
11. *Kindly state whether the Government Medical College & Associated Hospitals, Jammu has maintained information in respect of the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes.*
12. *Kindly state whether the Government Medical College & Associated Hospitals Jammu has maintained the particulars of recipients of concessions (such as free tests which are otherwise charged).*
13. *Kindly state whether the Government Medical College & Associated Hospitals, Jammu has maintained the details in respect of the information available to or held by it, reduced in an electronic form.*
14. *Kindly state whether the Government Medical College & Associated Hospitals, Jammu are publishing the following information annually;*
 - a. *All relevant facts while formulating important policies or announcing the decisions which affect the public*
 - b. *Reasons for its administrative or quasi-judicial decisions to affected Persons.*
15. *Kindly state whether the list of medicines available free of cost of all patients or a class of patients is displayed in the Govt. Medical College & Associated Hospitals, Jammu. If yes, kindly provide me the place, time and date on which I can inspect the sites where such information is displayed.*

16. *Kindly state whether the list of tests or other chemical examinations available free of cost to all patients or a class of patients is displayed in the Govt. Medical College & Associated Hospitals, Jammu. If yes, kindly provide me the place, time and date on which I can inspect the sites where such information is displayed.*
17. *Kindly state whether the list of medical apparatus/items available free of cost to all patients or a class of patients is displayed in the Govt. Medical College & Associated Hospitals, Jammu. If yes, kindly provide me the place, time and date on which I can inspect the sites where such information is displayed.*
18. *Kindly state which of the aforesaid information is available with the Public Information Officer in electronic format.*

The information seeker filed a complaint U/s 15 of the J&K RTI Act, 2009 alleging therein that the information sought by him was not provided within 30 days as required U/s 7(1) of the J&K RTI Act, 2009. The information seeker has also apprised the Commission that some information was provided in parts whereas information provided in respect of the following queries made under the above said RTI application:- 1(ii), 2, 3, 4, 5, 6, 7, 8, 10, 12, 13, 14, 17 and 18 is incomplete and incorrect. Moreover the information which has been provided by the PIO is partial in nature and pertains only to Government Medical College and Hospitals, Jammu and not in respect of all the Associated Hospitals. The complainant in his plea before the Commission urged that the Government Medical College, Jammu and the Associated Hospitals were bound to publish the above said information sought by the complainant within one hundred days of the commencement of J&K RTI Act, 2009 but inspite of lapse of about four years since the expiry of 100 days the PIO for the said Public Authority is in the process of collection of said information. The said information should have been kept ready at the disposal of the PIO by the head of the Public Authority on or before 8th of July, 2009 i.e. about four years ago. The complainant further urged that non-adherence to the provisions of Section 4(1)(b) of the J&K RTI Act, 2009 by the Public Authority i.e. Head of the Government Medical College and Associated Hospitals is a very serious violation of the provisions of the J&K RTI Act, 2009 as the Section 4 of the Act is considered as a spirit of the Act.

The complainant has prayed that the Public Authority i.e. Principal, Government Medical College and Hospitals be directed to publish on the website the information required to be published U/s 4(1) (b) of the J&K RTI Act, 2009. The plea taken by the complainant appears to be genuine and well within the parameters of the J&K RTI Act, 2009 because each public authority is under a statutory obligation to implement Section 4 and publish the information within 120 days from the commencement of the Act. The Principal, Government Medical College and Associated Hospitals is hereby directed to follow the mandate of Section 4 of the J&K RTI Act, 2009 and place the entire information on its website so that access to all the relevant records pertaining to said public authority is facilitated for the benefit of general public within two months from the date of receipt of this order under an intimation to the Commission.

The complaint is accordingly disposed of.

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

Sd/-

Dr. S.K. Sharma
State Information Commissioner

Copy to:-

1. 1st Appellate Authority / Dr. Shashi Gupta, Principal Govt. Medical College, Jammu.
2. Public Information Officer / Sh. Mansoor Aslam Choudhary, Personnel Officer, Govt. Medical College & Associated Hospitals, Jammu.
3. Sh. Vilakshana Singh, Advocate J&K High Court S/o Lt. Sh. Jagdish Singh Dogra R/o Sidhra Bypass, Opposite Eicher Workshop, Sidhra, Tehsil & District Jammu.

Khalid-A-Shah
Deputy Registrar
State Information Commission