



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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File No: SIC-J-A-175/2013
Decision No: SIC-J-A-175/2013/244

Sh. Surinder Kumar	Appellant	Present
Dr. Baldev R. Sharma Dy. Director (HQ), Health Services, Jammu.	PIO	Present

Jammu
27-08-2013

Briefly the facts in this appeal are that Sh. Surinder Kumar Editor R/o Golden Yug, Opposite House No. 371 Sector-3, Channi Himmat, Jammu moved an application on 16-04-2013 before the PIO/ Special Secretary, Health & Medical Education Department, J&K Civil Secretariat, Jammu seeking the following information:-

- I. Provide information about sanctioned strength of Dental Surgeons posts sanctioned in J&K State till March, 2013 with details of posts sanctioned in various Dental colleges, Director Health/Hospitals/District Health and Primary Health Centres/Sub-District Hospitals with location of each such institution in the State where the posts are sanctioned.
- II. Information if strength of Dental Surgeon posts are separately sanctioned for National Rural Health Mission (NRHM) in J&K State till March, 2013.
- III. Provide information, number of posts of Dental Surgeon filled through Public Service Commission, how many Dental Surgeons

- are working on Adhoc Basis in the State at various places with name of the Doctor, place of posting. And number of posts lying vacant under Plan/non-plan heads.
- IV. Provide the order copies of appointees (Dental Surgeons) working on Adhoc basis with place of posting.
Also provide the information how many Dental Surgeons have been appointed on Adhoc basis vide the order of Dy. Commissioner/other appointing Authorities in region Jammu and in Kashmir since January 2008 to March, 2013. Provide the true copies of the orders and copies of extension granted to such Adhoc Dental surgeons.
- V. Under the present Govt. Policy, Adhoc appointees of Dental Surgeons are being confirmed. Provide the information about norms, rules, procedures and conditions framed by the Govt. for confirming the services of Adhoc appointees of D.S in Jammu Region and in Kashmir Region separately.
Provide the information about proceedings initiated by the Govt. with particulars of D.S (Dental Surgeons) who are likely to be confirmed.
Provide the copy of Ist Appointment order issued by the Dy. Commissioners/Appointing Authorities in such cases in Jammu Province and in Kashmir Province with the posting of these Adhoc Doctors.
How many posts of Dental Surgeons have been referred to PSC or likely to be referred to PSC for fresh appointment against vacant posts.
- VI. Provide information how many Dental Surgeons retired from the services till March, 2013 and how many posts of Dental Surgeons have left vacant due to promotion.
- VII. Provide the copy of Notification issued by Director National Rural Health Mission(NRHM) for appointment of Dental Surgeons on Adhoc basis/consolidate basis in J&K State. Provide the details of District, Tehsils and Block where appointment has been made with place of posting and order copy of appointment.

The PIO Health and Medical Education Department, forwarded the RTI application of the information seeker under Section 6(3) of the Act to PIOs of Divisional Commissioner's office Kashmir/Jammu and PIOs of Health Services, Kashmir/Jammu vide NO:HD/Gaz/RTI/89/2013 dated 23-04-2013. The RTI application of the information seeker was received in the office of Dy. Director (HQ), Health Services Jammu/PIO on 26-04-2013.

The PIO vide his counter statement No:DHSJ/PIO/IInd appeal/4337-38 dated 26-08-2013 submitted before the Commission that the information sought by the information seeker was extensive and even some of the points in the application were ambiguous and unspecific, however, efforts were made to provide the information and whatever was available and could be comprehended was provided to the information seeker within the statutory period, besides subsequently some supplementary information was also forwarded to the information seeker.

Perusal of the record shows that the information seeker preferred Ist appeal before the FAA i.e Health Services Jammu on 01-06-2013 which was disposed of vide order NO:DHSJ/Ist appeal/2940 dated 27-06-2013. The information seeker had also preferred Ist appeal before the FAA i.e Health and Medical Education Department which was also disposed of vide order NO:HD/RTI/Act/2009 dated 01-07-2013 and the information seeker was advised to devise a lucid and specific proforma for convenience of PIOs to overcome the difficulty in preparing the information. However, the information seeker during the course of proceedings alleged that till date the information which has been provided to him is incomplete and incorrect and does not correspond with his RTI application and as such he was compelled to knock the doors of Commission by way of filing second appeal. During the course of proceedings held today, the PIO submitted a set of information which has been placed in the record for reference and copy of the same was also furnished to the information seeker. The information seeker raised certain queries about the information provided to him and PIO agreed to resolve the same and requested the Commission to grant him some time for the same.

In view of the aforesaid observations, the PIO is hereby directed to furnish the revised information to the information seeker which must be complete in all respects and as available in the office record of Directorate

of Health Services, Jammu by 6th of September, 2013. The PIO is further directed to file a compliance report to the Commission.

The appeal is accordingly disposed of.

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

Sd/-
(Dr. S.K. Sharma)
State Information Commissioner

A(SS)

Copy to :

1. First Appellate Authority /Special Secretary to Government, Health and Medical Education Department, Srinagar.
2. First Appellate Authority/Director Health Services, Jammu.
3. Public Information Officer/ Dy. Director (HQ), Health Services, Jammu.
4. Sh.Surinder Kumar Editor R/o Golden Yug, Opposite House No. 371 Sector-3, Chhani Himmat, Jammu.

(Khalid A. Shah)
Assistant Registrar,
J&K State Information Commission