



Sh Vivek Baghla,
B-2857, Bank Colony,
Badha Road, Fazilka.

... Complainant

Versus

Public Information Officer,
O/o Sr. Medical Officer,
Civil Hospital, Fazilka.

...Respondent

Complaint Case No. 215 of 2021

PRESENT: None for the Appellant
Dr.Eric and Dr Rohit Goyal, SMO, Fazilka for the Respondent

ORDER:

The complainant, through an RTI application dated 23.12.2020 has sought information regarding the implementation of section 4 of the RTI Act – inspection of Attendance record/CCTV footage of Dr.Simi Jasuja and Ranjana Gupta from 08.01.2019 – total number of ultrasounds conducted for pregnant women/patients from 08.01.2019 and payment collected therefrom - and other information as enumerated in the RTI application concerning the office of SMO Civil Hospital, Fazilka. The complainant was not provided with the information, after which the complainant filed a complaint in the Commission on 16.02.2021.

The case first came up for hearing on 12.07.2021 through video conferencing at DAC Fazilka. The complainant informed that the PIO has not provided the information.

Having gone through the RTI application and hearing both the parties, the following was concluded:

- Point-A - I am marking this to the Civil Surgeon to take necessary steps for implementation of section 4 (b) of the RTI Act and file a progress report at the next date of hearing.
- Point-B - The appellant does not want to pursue the information as enumerated in point 2 of the RTI application.
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- Point-C - The PIO to invoke section 10 and provide only the total number of ultrasounds and collections made. No names are to be provided.
The appellant has agreed to the same.
- Point-D - PIO to send appropriate reply

On the date of hearing on **11.11.2021**, the PIO was absent. The Commission received a copy of a letter dated 15.07.2021 from the PIO via an email in which the PIO claimed to have sent the information to the appellant.

The appellant claimed that he has received the information on point-B & D but the PIO has not supplied the information on points A & C.

The PIO was given one more opportunity to provide information on point-A & C to the appellant within 10 days with a copy to the Commission otherwise the Commission will be constrained to initiate action against the PIO under the provisions of section 20 of the RTI Act.

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On the date of hearing on 20.04.2022, both the parties were absent. The case was adjourned.

On the date of last hearing on **13.09.2022**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent on 3rd consecutive hearing nor had complied the order of the Commission. To secure an erring PIO's presence before the commission, a bailable Warrant of the PIO-SMO, Civil Hospital, Fazilka was issued Under Section 18(3) of the RTI Act through Senior Superintendent of Police, Fazilka for his presence before the Commission on **06.12.2022**.

Hearing dated 06.12.2022:

Dr. Eris and Dr.Rohit Goyal, SMO-Fazilka are present. Dr.Rohit Goyal pleaded that he has just joined on 04.10.2022 and earlier Dr.Pathak was the PIO who has since retired. The respondent further informed that the information on point-C has already been provided and information on point-A is to be provided by the office of Civil Surgeon, Fazilka.

The appellant is absent nor represented. No further interference of the Commission is required. The case is **disposed of and closed**.

Chandigarh
Dated : 06.12.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to Civil Surgeon, Fazilka.