



Dr. Babita Rani, D/o Sh Ram Sanehi Mittal,
R/o Abohar Road,
Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o National Health Mission, Pb,
5th Floor, Prayaas Building,
Sector-38, Chandigarh.

First Appellate Authority,
O/o Director,
National Health Mission, Pb,
5th Floor, Prayaas Building,
Sector-38, Chandigarh.

...Respondent

Appeal Case No. 2536 of 2021

PRESENT: None for the Appellant
Ms. Deepshikha-PIO (HR Branch) for the Respondent

ORDER:

The appellant, through an RTI application dated 23.02.2021 has sought information on eight points regarding the existence of a rule under which the National Health Mission vide letter dated 20.11.2020 has recommended action against the appellant without giving an opportunity of hearing – a copy of justification filed for the delay in the release of the budget which resulted in the release of salary for April as well as the rule under which acquitted and other information as enumerated in the RTI application from the office of National Health Mission, Pb Chandigarh. The appellant was not provided with the information provided, after which the appellant filed the first appeal before the first appellate authority on 12.04.2021, which took no decision on the appeal.

The case first came up for hearing on 05.10.2021 through video conferencing at DAC Sri Mukatsar Sahib/Mohali. As per the respondent, the information had been supplied to the appellant vide letter dated 19.05.2021 with a copy to the Commission.

The appellant was not satisfied and informed that the PIO had not supplied the information, and the reply dated 19.05.2021 is misleading.

Having gone through the RTI application and the reply of the PIO, the Commission observed that there was prima facie evidence that the PIO could have supplied a misleading reply and denied the information intentionally. The PIO was given one last opportunity to relook at the RTI application and provide point-wise information to the appellant within 15 days with a copy to the Commission otherwise, the commission will be constrained to proceed against the PIO under section 20 of the RTI Act.

On the date of hearing on **13.07.2022**, the appellant was not satisfied with the information supplied by the PIO.

The respondent pleaded that National Health Mission Punjab has no rules of its own as most of the staff are working as outsourced contractual employees. He further pleaded that the appellant is a regular Punjab Govt. employee working as SMO(PCMS) and her appointing authority is Director, Health & Family Welfare, Punjab. The respondent further pleaded that the Employees Conduct Rules of the office of Director Health & Family, Punjab, will be applicable in this case, and the same will be available in their office.

The PIO O/o the Director, Health & Family Welfare, Punjab, was impleaded as Respondent No.2, and directed to provide point-wise information to the appellant before the next fixed date with a copy of the same to Commission. The PIO was directed to appear for the hearing at the Commission's office at Chandigarh.

Hearing dated 21.11.2022 :

The case has come up for hearing today through video conferencing at DAC Sri Mukatsar Sahib. The respondent present pleaded that complete information has been provided to the appellant vide letter dated 14.11.2022 with a copy to the Commission. The respondent further informed they have spoken with the appellant on the telephone and the appellant has shown satisfaction with the provided information.

The appellant is absent nor is represented to plead the case. It is presumed that the appellant has received the information and is satisfied.

Since the information has been provided, no further action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 21.11.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Copy by Regd. Post to :

Public Information Officer
O/o The Director,
Health and Family Welfare,
Punjab, Sector 34-A,
Chandigarh.