

GOVT. OF NCT OF DELHI
OFFICE OF THE MEDICAL SUPERINTENDENT
RAO TULA RAM MEMORIAL HOSPITAL
JAFFARPUR, NEW DELHI-110073

F.No.RTRMH-I/6/RTI Appeal No.17/2013-14/7524

Dated: 7/5/2014

ORDER

The appeal filed by Shri Harinder Kumar, Advocate, under Section 19 of the RTI Act, 2005 regarding his RTI Application (ID No.105) had been fixed earlier for hearing on 24/04/2014 but due to exigency of appellant and on his request the hearing was re-fixed for 26/04/2014 (Saturday) at 12:00 Noon. The appellant showed his inability to attend the hearing as he had a case at Tis Hazari. The request of the appellant was considered and agreed. Accordingly, the hearing was re-fixed for 29/4/2014 at 2: 00 pm as per the convenient of appellant.

2. The PIO further sought permission of the FAA to comment on the points raised by the appellant in his appeal. The permission was granted to the PIO. The response of the PIO is recorded as under :

i) Reg. Reply to Question No. 1, 2, 5, 11, 13, 15 & 16 : The replies given by PIO for these questions were agreed by the appellant.

ii) Reply to Question No. 3 : PIO stated that hospital does not keep information in the format sought.

Decision of FAA: The PIO is directed to collect the information from the HOD (Mortuary), if available and provide the same to the appellant within one week from issue of this order.

iii) Reply to Question No. 4 : PIO stated that information sought is not covered under Section 2 (f) of RTI Act, 2005. Moreover, the appellant had sought information on hypothetical situation which does not fall under the ambit of RTI Act.

Decision of FAA: The contention of PIO was found reasonable and also agreed by the appellant.

iv) Reply to Question No. 6 : PIO stated that hospital does not keep information in the format sought.

Decision of FAA: The PIO is directed to collect the information from the HOD (Mortuary), if available and provide the same to the appellant within one week from issue of this order.

v) Reply to Question No. 7 to 9 : In these questions, PIO further stated that a team / board of 3 members namely Dr. T. K. Prasad, Dr. Ranjan and Dr. Manish was constituted by the Medical Superintendent to conduct the Post Mortem of late Smt. Uttami Devi w/o Shri Bijli and the members of team / board will assist each other in conducting the Post Mortem.

Decision of FAA: The contention of PIO was found reasonable and also agreed by the appellant.

vi) Reply to Question No. 10 : PIO stated that no board was constituted by Dr. Vijay Rai, MS to conduct the autopsy other than autopsy conducted on 13/9/2013 of late Smt. Uttami Devi. Whereas, the appellant contend that he had asked for the Post Mortem conducted on 13/9/2013.

Decision of FAA: FAA clarified that the Autopsy and Post Mortem is understood same and it was agreed by the appellant.

vii) Reply to Question No. 12 : PIO stated that the information cannot be provided under Section 8 (1) (e) and 8 (1) (j) of RTI Act, 2005 as the information pertains to a third party.

Decision of FAA: The contention of PIO was found reasonable and also agreed by the appellant.

viii) Reply to Question No. 14 : PIO stated that hospital does not keep information in the format sought.

Decision of FAA: It was observed from the question that the appellant had not mentioned the time for which the information sought. In response the appellant informed that he sought information for the last two years. Hence, the PIO is directed to collect the information from the HOD (Mortuary), if available and provide the same to the appellant within one week from issue of this order.

Accordingly, the appeal was disposed off.

In case, the appellant is not satisfied with decision, he may file a Second Appeal under RTI Act, 2005 within 90 days from the issue of this order before the Information Commissioner, Central Information Commission, Room No.326, IInd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066.

(Dr. Ashok Kumar)
First Appellate Authority/
Medical Supdt., RTRM Hospital

F.No.RTRMH-I/6/RTI Appeal No.17/2013-14/7524

Dated: 7/5/2014

Copy to :

1. Shri Harinder Kumar, Advocate, R/o 1843, Udai Chand Marg, Kotla Mubarak Pur, New Delhi-110003
2. PIO, RTRM Hospital.
3. PA to FAA/MS, RTRM Hospital.

(Dr. Ashok Kumar)
First Appellate Authority/
Medical Supdt., RTRM Hospital

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MOST IMMEDIATE

GOVT. OF NCT OF DELHI
OFFICE OF THE MEDICAL SUPERINTENDENT
RAO TULA RAM MEMORIAL HOSPITAL
JAFFARPUR, NEW DELHI-110073

No. RTRMH-I/6/RTI/05/2013-14/ IDNo.105/8035

Dated: 13/5/2014

To

Shri Harinder Kumar, Advocate,
1843, Udai Chand Marg,
Kotla Mubarak Pur, New Delhi-110003

Subject : RTI Appeal case of Shri Harinder Kumar, Advocate.

Sir,

In compliance to First Appellate Authority's order No. F. No. RTRMH-I/6/RTI Appeal No.17/2013-14/7524 dated 7/5/2014 wherein the PIO was directed to provide the information sought by the RTI Applicant in Question No.3, 6 & 14 of RTI ID No.105 dated 24/01/2014. The point wise reply is as under:

Ans. 3 : There is no case wherein the MLC was prepared for the post mortem / autopsy conducted for Medical Audit Purpose during 2011-13.

Ans. 6 : No postmortem has been conducted earlier in this Hospital as a Non M.L.C. case except Post Mortem / Autopsy of Late Smt. Uttami Devi on 13.09.2013 and it was conducted to find out cause of death.

Ans. 14 : There is only one case wherein the autopsy was conducted on request of HOD (O&G) who felt the need to find out the cause of death.

Yours faithfully

(Dr. Sangeeta Basu)
Public Information Officer