

Telangana State Information Commission

(Under Right to Information Act, 2005)

D.No.5-4-399, Samachara Hakku Bhavan (Old ACB Building),

Mojam-jahi-Market, Hyderabad – 500 001

Phone: 24740666 Fax: 24740592

Appeal No:859 & 3708/SIC-MNR/2019

Date: - 07-04-2021

Appellant : Sri Akshay Kumar, S/o. Pradeep Kumar, 21-1-824, Tolaram Building, Rikab Gunj, Hyderabad.

Respondents : Public Information Officer (U/RTI Act, 2005) O/o the Telangana State Medical Council, Hyderabad.

First Appellate Authority (U/RTI Act, 2005) O/o the Telangana State Medical Council, Hyderabad.

Order

Sri Akshay Kumar has filed second appeal dated **22-01-2019 & 27-03-2019** which was received by this Commission on **23-01-2019 & 27-03-2019** for not getting the information sought by him from the Public Information Officer/ O/o the Telangana State Medical Council, Hyderabad and the First Appellate Authority/ O/o the Telangana State Medical Council, Hyderabad.

The brief facts of the case as per the appeal and other records received along with it are that the appellant herein filed an application dated **26-12-2018** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

1. On what basis Private Hospital is given the licence to run and render it's services.
 2. What are the basic norms of rules and regulations which the private hospital has to follow.
 3. How frequent are the checks done to see if any private hospital is violating the norms please confirm ?
 4. I request Gupta Hospital, Rikab Gunj Hyderabad to furnish the birth record of July-1996 with gender and respective biological names of mother and father to whom the child (he/she) was born.
 5. I request Gupta Hospital, Rikab Gunj Hyderabad Pto furnish the audit of the Financial year 1996-1997.
 7. How much staff one hospital can hire on permanent and on contract basis please confirm?
 8. Is any private hospital allowed to collect parking charges from it's visitors please confirm?
- I prefer to receive the information in the form of printouts via. Post

The Public Information Officer through Lr.No. TSMC/Ethics/1391/2018 dated 09-01-2019 informed to the appellant that the sought information will be furnished by DM&HO of the concerned District. Hence directed the applicant to seek the information from the DM&HO., of the concerned District.

Stating that the appellant was not satisfied with the reply of the Public Information Officer, he filed 1st appeal dated **16-01-2019** before the First Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

Stating that the appellant did not get any response from the First Appellate Authority, he preferred this 2nd appeal before this Commission requesting to arrange to furnish the information sought by him u/s 19(3) of the RTI Act, 2005.

In view of the above, with a request to both the parties to attend for hearing on **07-04-2021 at 10.30 AM.**

The Case was heard on 07-04-2021. The appellant was present and submitted that the PIO has not furnished the information sought by him till date. The PIO/ Dr.Ch.Hanmantha Rao, Registrar, Telangana State Medical Council, Hyderabad was present and submitted that vide letter TSMC/Ethics/1391/2018, dated.09-01-2019 they have informed the appellant that the information sought by him pertains to DM & HO of the concerned district and requested the appellant to approach the concerned office and seek the information.. The PIO further submitted a copy of the letter before the Commission along with the copy of the postal receipt.

The Commission perused the material papers available on records and observed that the PIO ought to have forwarded the 6(1) application filed by the appellant to the concerned office U/s.6(3) of the RTI but has failed to do. The Commission took a serious view against the PIO for not following the provisions of the RTI Act. The Commission warns the PIO not to repeat the same in the future.

The Commission directs the PIO to forward the 6(1) application dated. 26-12-2018 filed by the appellant to the concerned PIO under Section 6(3) of the RTI Act 2005 within one week and to report compliance to the Commission.

With the above direction, the appeal is closed.

MYDA NARAYAN REDDY
STATE INFORMATION COMMISSIONER

Authenticated by:

Judicial Officer

Copy to: SO / SF / OC