Central Information Commission, New Delhi  
File No. CIC/SH/A/2016/000097  
Right to Information Act-2005-Under Section (19)

Date of hearing : 20th January 2017  
Date of decision : 20th January 2017

Name of the Appellant : SHRI DASHRATH LAL BAPNA  
27, ROOP ENCLAVE, MAHESWARI  
COLONY, SHYAM NAGAR GALI-5,  
PAL LINK ROAD, JODHPUR,  
RAJASTHAN-342008

Name of the Public Authority/Respondent : CENTRAL PUBLIC INFORMATION OFFICER,  
CENTRAL SHEEP & WOOL RESEARCH  
INSTITUTE AVIKANAGAR, VIA-JAIPUR,  
TEHSIL-MALPURA, DISTT-TONK,  
RAJASTHAN- 304501

RTI Application filed on : 1-17/06/2015, 2-17/06/2015, 3-24/06/2015  
CPIO replied on : 1-10/07/2015, 07/07/2015  
First Appeal filed on : 06/08/2015  
First Appellate Authority order on : 01/10/2015  
2nd Appeal received on : 28/12/2015

The Appellant was present at the NIC Studio, Jodhpur.

On behalf of the Respondents, Shri M. L. Gupta, CPIO was present at the NIC Studio, Tonk.

Information Commissioner : Shri Sharat Sabharwal

Information sought

This matter concerns three RTI applications filed by the Appellant seeking information regarding settlement of his medical claims and certain rules concerning medical reimbursement.

The CPIO reply

The CPIO, vide letter dated 10.7.2015, while giving point wise reply to the two RTI applications dated 17.6.2015, denied the list of in service employees who were
reimbursed medical expenses. Vide his letter dated 7.7.2015, the CPIO responded to the RTI application dated 24.6.2015.

Grounds of the First Appeal
Not satisfied with the CPIO’s replies.

Order of the First Appellate Authority
The FAA upheld the CPIO’s replies.

Grounds of the Second Appeal
Not satisfied with the response of the Respondents to all the three RTI applications.

Relevant facts emerging during the Hearing, Discussion and Decision
The Appellant stated that the Respondents have provided him some general rules regarding medical reimbursement, but not the specific rules sought by him.

2. On perusal of the records, we note that in one of the two RTI applications dated 17.6.2015, the Appellant had sought information regarding the action taken by the Respondents on his request / representation dated 7.3.2015, followed by the reminder dated 8.5.2015 regarding medical claims. The CPIO responded to this application at the end of his reply dated 10.7.2015 and we would not interfere with his response.

3. In the second RTI application dated 17.6.2015, the Appellant sought information regarding the copy of rules in the light of which medical claims of in service GOI employees were being reimbursed in respect of consultation of an authorized medical attendant at his consulting room and obtaining an OPD
registration number. He also sought the list of last ten years of in service employees who were reimbursed expenses on the basis of above. The Appellant stated that in the case of in service employees, on their obtaining an OPD registration number, the treatment is accepted as hospital treatment, while this is not being done in the case of retired employees. The Appellant also stated that he is aware of some cases in which such reimbursement has been made to in service employees and some of his own bills were also cleared earlier. The Respondents stated that a copy of the relevant rules / circular regarding reimbursement of medical expenses to retired employees has been provided to the Appellant. However, the CPIO is directed to check the records and convey to the Appellant the text of the specific rule (s) on record which allow(s) reimbursement in cases such as above to in service employees, while denying the same facility to retired employees. Regarding point No. 2 of the RTI application, we would not like to burden the public authority with the task of collecting information for the last ten years as demanded by the Appellant. However, the CPIO is directed to check the record for the last one year and inform the Appellant whether reimbursement in the circumstances, as mentioned above, is being made to in service employees or not.

4. In the RTI application dated 24.6.2015, the Appellant had stated that he visited the dispensary, where he was informed that the dispensary had “verbal” instructions that pensioners should not be referred to any higher / speciality hospital for treatment. He sought a copy of the relevant rules in this regard. He also sought documents pertaining to non-availability of medical officer in the dispensary. The CPIO gave a reply on 7.7.2016 and provided some information, including copies of
certain rules. Having perused the records, we direct the CPIO to inform the Appellant whether any verbal or written instructions have been issued to the dispensary not to refer pensioners to any higher / speciality hospital. In case any such instructions have been issued, the CPIO should provide to the Appellant a copy of the specific rule(s) as per which these were issued.

5. The CPIO should comply with our directives in the preceding paragraphs, within twenty days of the receipt of this order, under intimation to the Commission. Such information, as is provided, should be provided free of charge.

6. With the above directions and observations, the appeal is disposed of.

7. Copies of this order be given free of cost to the parties.

Sd/-
(Sharat Sabharwal)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)
Deputy Registrar