

24/12/20
2020

Sent via speed
post on 22/2/21

भारत सरकार/ Government of India
अंतरिक्ष विभाग / Department of Space
विक्रम साराभाई अंतरिक्ष केंद्र/VIKRAM SARABHAI SPACE CENTRE

सूचना का अधिकार अधिनियम, 2005 के अंतर्गत

प्रथम अपीलीय प्राधिकारी की कार्यवाही

PROCEEDINGS OF THE FIRST APPELLATE AUTHORITY UNDER THE
RIGHT TO INFORMATION ACT, 2005

Appeal No **24/2020** (File No.VSSC/RTI/7-2387)

अपीलकर्ता का नाम/ Name of Appellant	: Shri Pranav PJ Pranav Mandiram Mankadu, Parappara PO Vithura, Pin: 695 551
प्रतिवादी का नाम/ Name of Respondent	: Anil Kumar B Sr. Head, PGA/CPIO VSSC

1. Background

Shri Pranav PJ, Pranav Mandiram, Mankadu Parappara PO, Vithura-695551 vide application dated 20.10.2020 (received by the CPIO on 23.10.2020) has sought certain information related to the Contributory Health Service Scheme (CHSS) in 6 queries, under RTI Act, 2005. After collecting relevant information from the custodian of records, CPIO vide letter dated 17.11.2020 has furnished the information to the Applicant. For query No. 3, the Applicant was requested to inspect the documents in VSSC on a mutually convenient date and time as the sought information was voluminous and scattered in different files. Having not satisfied with the reply of CPIO, the Appellant has filed an appeal dated 14.12.2020 before the undersigned.

2. Prayers in the appeal

The Appellant has challenged the reply given against query No.3 by raising the following contentions:

- As RTI
5/12/20
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- a) CPIO has not furnished complete information and had denied the requested information even though it is available in VSSC.
 - b) Inspection of records is the choice of the Applicant and it may not be based on the advice of the CPIO. Visiting VSSC is not necessary for providing copy of a small booklet.
 - c) The reply of CPIO is false and misleading. The CHSS has a Schedule of Rates-2017, a small booklet of below 99 pages and the same is not even voluminous.

Citing the above grounds, the Appellant has requested for a direction to provide a copy of Schedule of Rates 2017 under CHSS.

Contd...2/-

3. निर्णय/DECISION

- (a) On perusal of the records brought before me it is observed that CPIO has provided relevant information to the Appellant except query No.3. In query No.3, the Applicant has requested to provide the latest CHSS Rate Chart as on 20.10.2020 including the rate of all procedures, tests and other treatments based on which payments were made to the tie up hospitals located in Thiruvananthapuram. CPIO has informed the Appellant that the CHSS rates are not one and same for all the hospitals empanelled under CHSS and it may vary hospitals to hospitals depending upon the facilities available. As the sought information is voluminous and scattered in different files, the Appellant was requested to inspect the documents in VSSC on a mutually convenient date and time.
- (b) In this connection, it is noted that in Thiruvananthapuram there are more than a dozen CHSS approved hospitals which may vary in infrastructure and facilities. Depending upon the facilities and quality of service, different rates are being fixed for the same procedures/treatments for different hospitals. The list of charges for all procedures, numerous tests and treatments fixed with all the tie up hospitals runs hundreds of pages scattered in various files. Taking photocopies of voluminous data spread in different files and providing the same to the Appellant is a laborious job and obviously it will disproportionately divert the resources of the Public Authority. Hence, I do not find any flaw in the decision of CPIO in inviting the Appellant to inspect the documents in VSSC. While considering second appeals seeking voluminous information, Hon'ble CIC had directed the Appellants to make use of the facility for inspection of the documents held by the Public Authorities, if they desire to get the information. In the instant case, the Appellant was given ample opportunity to inspect the requested documents in VSSC on a mutually convenient date and time and therefore, it can't be considered as denial of information.
- (c) It is also noted that in the RTI application the Applicant had requested to provide the latest CHSS rate chart as on 20.10.2020 including the rate of all procedures, tests and other treatment based on which payments were made to the CHSS empanelled Hospitals located in Thiruvananthapuram. However, in the appeal petition, the Applicant has altered his request and asked to provide him a booklet of below 99 pages by name "Schedule of Rate-2017 of Contributory Health Service Scheme". In this regard, the undersigned draw the attention of CIC's decision that at the appellate stage, an Appellant cannot ask for additional information which had not been sought from CPIO. In observance of aforesaid decision, the Appellant has no vested right to obtain the fresh information asked in the appeal and therefore, I do not find any merit in the appeal. Accordingly, the appeal is dismissed.

4. A second appeal against this decision lies with the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067, within ninety days from the date on which this decision is received.

This Appeal is disposed of at Thiruvananthapuram on the ...^{18/15}... day of February, 2021.

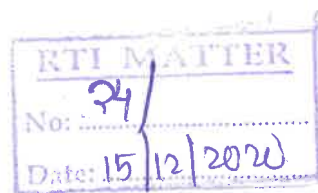

(डॉ. बिजु जेकब/Dr. Biju Jacob)

प्रथम अपीलीय प्राधिकारी /First Appellate Authority/
मुख्य नियंत्रक/Chief Controller

To

1. Shri Pranav PJ
Pranav Mandiram, Mankadu
Parappara PO, Vithura, Pin: 695 551
2. CPIO, VSSC/IISU

REGISTERED POST



From,

Pranav.P.J,
Pranav Mandiram,
Mankadu, Parappara.P.O,
Vithura, Pin 695551

To

The First Appellate Authority,
Vikram Sarabhai Space Centre,
Thiruvananthapuram, Pin-695022

Sir,

Sub:-Under Section 19(1) of the RTI Act- Appeal to FAA

With reference to section 19(1) of the RTI Act, I am to inform that I submitted an RTI request dated 20.10.2020 for information under Section 6(1) of the RTI Act. A copy of my RTI Application dated 20.10.2020 and the reply to my RTI request (VSSC letter No.VSSC/RT/7-2387 dated 17.11.2020 received by me on 28/11/2020) are enclosed herewith. My RTI request has been received by VSSC, Thiruvananthapuram on 23.10.2020.

I am submitting this appeal because of the reason that The CPIO, VSSC has not furnished complete information without any reasonable cause, within the time specified under sub section (1) of section 7 and denied the request for information and knowingly given misleading, incorrect and incomplete information. The information requested by me was available with VSSC. But the CPIO has unlawfully tried to conceal the part of the information requested. The CPIO has not acted reasonably and diligently to settle the RTI request and taken the request callously by violating the provisions of the RTI Act.

The following was my Request No.3

“Kindly provide the latest Contributory Health Service Scheme Rate Chart as on 20.10.2020 including the rates of all procedures, tests and other treatments based on which payments made for medical bills pertaining to the tie up hospitals located in Thiruvananthapuram”

In response to my above request No.3, the CPIO informed that “CHSS rates are not identical for all the hospitals empanelled under CHSS. It may vary depending upon the facilities available. The information sought by the applicant is voluminous in nature and scattered in different files. Therefore, the applicant may visit VSSC and inspect the relevant records available on a mutually convenient date and time”

The above reply is false and intentionally misleading the applicant from the actual information. The Contributory Health Service Scheme has a Schedule Of Rates 2013 and subsequently it has been revised in the name of Schedule of Rates 2017 of Contributory Health Service Scheme. It is a small booklet of below 99 pages. It is not at all voluminous in nature. Without providing the copy of Schedule of Rates 2017, the CPIO has given false information and illegally advising the applicant to visit your office by providing

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17/12/2020

misleading information which is against the spirit of the RTI Act. The inspection of records is the choice of the applicant and it may not be based on the advice of the CPIO. Visit in VSSC is not necessary for providing the copy of a small booklet.

As per Section 7(2) of the RTI Act, If the CPIO fails to give information within the period specified under sub-section(1) of Section 7, the CPIO shall be deemed to have refused the request.

My request to information is still pending with the CPIO, VSSC. I therefore request to give necessary direction to the CPIO to provide a copy of **Schedule of Rates 2017 of Contributory Health Service Scheme** to me without further delay. I may kindly be informed the charge to be paid for a copy of Schedule of Rates 2017

Yours Faithfully,


14/12/2020
Pranav P J

Encl:- As above.
Place: Trivandrum
Date: 14.12.2020

From,
Pranav P J
Pranav Mandiram,
Mankadu Parappara P.O
Vithura-695551.

To,
Central Public Information Officer,
Vikram Sarabhai Space Centre,
ISRO P.O ,Thiruvananthapuram

Sub: Request for information as per RTI Act-2005.

Kindly provide the information sought below to me about the Contibutory Health Service Scheme provided to VSSC/LPSC/ISRO Employees/pensioners and their dependents.

- 1).Kindly provide the list of Central Government Departments/Organizations other than Department of Space which provide medical care under Contibutory Health Service Scheme (CHSS) scheme to their employees.
- 2).Kindly provide the name and address of all the Tie up/empanelled hospitals in Kerala under Contibutory Health Service Scheme (CHSS) as on date.
- 3).Kindly prove the latest Contibutory Health Service Scheme (CHSS) Rate Chart (as on 20.10.2020) including the rate of all Procedures, Tests/Investigation and other treatments based on which the medical bills pertaining to the tie up hospitals located in Thiruvananthapuram are being processed and paid by VSSC
- 4).Kindly provide the details of Annual Contribution Rates collecting from employees of VSSC under Contibutory Health Service Scheme (CHSS) depending on their different pay scales.
- 5).Kindly provide the details of Annual Contribution Rates and Life Time Contribution Rates if any, collecting from pensioners of VSSC under Contibutory Health Service Scheme (CHSS) depending on their pension or depending on their pay at the time of their retirement.
- 6).When was the Contibutory Health Service Scheme (CHSS) first time introduced/implimented in VSSC for its employees ?

Thiruvananthapuram ,
20/10/2020.

Enclosed:

Yours Faithfully,


PRANAV P J

