

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

**CORAM: Shri Juino De Souza State Information Commissioner.**

Appeal No. 74/SCIC/2012 | 1544

Deepa Prakash Vaigankar ,  
H.No.138, Rua De Maria,  
Sancoale, Cortalim

..... Appellant

v/s

1 Public Information Officer,  
Medical Superintendent  
Goa Medical College,  
Bambolim-Goa.

2 First Appellate Authority,  
Goa Medical College,  
Bambolim-Goa

.....Respondents

**Relevant emerging dates:**

Date of Hearing : 25 / 04/ 2016

Date of Decision : 25 / 04/ 2016

**O R D E R**

Brief facts of the case are that the Appellant herein had vide an application dated 20/12/2011 sought certain information regarding copies of medical case papers pertaining to her late husband Shri Prakash Vaigankar including copies of admission paper, copies of treatment records and copies of death report. The PIO vide his reply No. GMC/RTI/Reply/2010/18 dated 26/12/2011 had directed the Appellant to submit additional information such as Age, Death Certificate, Fathers Name and the Ward No in which the patient late Prakash Vaigankar was admitted and subsequently expired.

2. The Appellant thereafter vide letter dated 01-02-2012 had submitted the Death Certificate while stating that other related information including Age, Fathers Name and Ward No are not known. The Respondent PIO by another letter no. GMC/MS/RTI/REPLY/2011-12/52 dated 24-02-2012 once again asked the Appellant to furnish correct information to enable trace the medical papers.

3. Being aggrieved with the reply of the PIO the Appellant had filed a First Appeal before the FAA on 12-03-2012 who vide his order dated 14-03-2012 disposed the said Appeal with directions to the PIO to furnish the certified documents to the Appellant or give reasons for non-availability of information within 15 days. The Appellant thereafter filed a Second Appeal before the Commission on 06-04-2012 .
4. During the hearing the Appellant is absent despite advance notice sent by Registered Post (RPAD) without intimation to this Commission. The Respondent PIO, Medical Supdt. GMC is present in person and submits that the PIO vide letter dated 05/04/2012 had informed the Appellant that the admission on record from 15/12/1995 to 17/04/1996 mentioned name of Shri Prakash Vaigankar No. 56661 expired on 18/04/1996. The Respondent further submits that whereas the Death Certificate enclosed by the Appellant alongwith the application had mentioned the date of expiry as 13/04/1996.



The Respondent PIO further argued that in view of the discrepancy in two differing dates (13-04-1996 & 18-04-1996) it was not possible for the PIO to furnish other details as sought for by the Appellant in her application and which is why the Appellant was further requested to provide the correct date of expiry of her husband late Prakash Vaigankar, in order to take further necessary action in the matter.

6. The Commission is of the view that the role of the PIO is to provide information as available from the records. Regrettably the PIO cannot procure information for the satisfaction of the Appellant. The PIO is not authorized to give any information which is non-existent nor can he create or analyze the information correctly as per the whims and fancies of the Appellant. The PIO is only called upon to supply information accurately in accordance with record available without concealing or withholding any information.

7. The Commission concurs with the view of the Respondent. It is not possible for the PIO to furnish details to the Appellant in the absence of the correct date of death of the patient and which the Appellant should have provided. The very fact that the Respondent PIO has furnished information vide letter dated 05/04/2012 (one day after the Appellant filed second appeal) informing the Appellant of the admission record from 15/12/1995 to 17/04/1996 of the name Shri Prakash Vaigankar No. 56661 expired on 18/04/1996 is sufficient proof of the bonafide that the Respondent has submitted the information correctly as was available from the records.

8. The Commission therefore comes to the conclusion that the Respondent PIO is not at fault as indeed information was furnished and therefore nothing survives in the Appeal. Further this is an old case and the information sought pertains to the year 1996. The Respondent during the hearing has also submitted that it is not possible to trace records that are twenty year old as the same are destroyed by the Goa Medical College Hospital as per rules in force.



The Appeal accordingly stands dismissed. All proceedings in the Appeal case are closed. Pronounced in open court before the parties who are present. Notify the parties concerned. Authenticated copies of the order be given free of cost.

Sd-  
(Juino De Souza)  
State Information Commissioner