

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Penalty Case No. 07/2008 In
Appeal No: 45/SCIC/2008

Shri Dhruvanjay V. Harmalkar,
H. No. 207, Madhala Wada,
Shirgao, Taluka Bicholim – Goa.

..... Appellant.

V/s.

1. Public Information Officer,
The Deputy Director (Public Health),
Directorate of Health Services,
Panaji – Goa.
2. First Appellate Authority,
The Director,
Directorate of Health Services,
Panaji – Goa.

..... Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 22/09/2008.

ORDER

This disposes off a show cause notice issued by the notice-cum-order dated 13/08/2008 in second Appeal No. 45/SCIC/2008. The brief point is whether the then Public Information Officer Mr. C. G. Fernandes has misled both the Appellant and first Appellate Authority, Respondent No. 2 herein as to the denial of birth certificate submitted by Shri. Gaonkar, an official of the Public Health Department to the Appellant. Shri. C. G. Fernandes now submitted in his reply that Shri. Rama Y. Gaonkar did not submit any birth certificate in the year 2000 when he was initially appointed on contract basis. Nevertheless, an offer of regular appointment was made on 26/03/2007. The birth certificate was then submitted by the said Shri. Gaonkar which was issued in 2007. In fact, the birth was registered on 01/05/2005 with the date of birth as 16/10/1977. As such he submitted that the document was really not available when the same was requested by the Appellant. Hence, he contended that neither Appellant nor the first Appellate Authority were misled. After considering what is stated by Shri. C. G. Fernandes and perusal of the records, I am convinced that indeed Shri. Fernandes did not commit any deliberate mistake except that he styled himself as Director of Health Services when

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he was Director (Admn.) of Directorate of Health Services.

2. In view of the above, I discharge the show cause notice issued to the Public Information Officer.

Pronounced in the open court on this 22nd day of September, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner