

GOA INFORMATION COMMISSION

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

Appeal No. 85/SCIC/2008

Dr. Vijayraj Desai,
G-7, 'C' Building, Kurtarkar Township,
Ambaji, Margao – Goa. 403602.

..... Appellant.

V/s.

1. Public Information Officer,
The Medical Superintendent,
Goa Medical College and Hospital,
Bambolim – Goa.
2. First Appellate Authority,
The Dean,
Goa Medical College,
Bambolim – Goa.

..... Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 01/12/2008.

Both the parties absent.

ORDER

The Appellant has requested under the Right to Information Act, 2005 (for short the RTI Act) by his application dated 21/04/2008 to the Public Information Officer, Respondent No. 1 herein, seeking information on a number of points. Infact, the request for information runs into 5 pages containing 8 sub-questions. The original request was sent to the Under Secretary, GAD who has forwarded to 6 other Public Information Officers requesting for direct reply to the Appellant by his letter dated 5/5/2008. A few questions relating to the medical college were forwarded to the Public Information Officer of Goa Medical College.

2. Having received no reply from the Public Information Officer, the first appeal came to be filed on 7/7/2008 to the First Appellate Authority. The very next day i.e. on 8/7/2008, the First Appellate Authority has passed an order directing the Respondent No. 1 to issue information relating to the Goa Medical College. Whereupon the Public Information Officer has given the reply on 7th August, 2008 after collecting a fees of Rs.6/-. Not satisfied with the reply, the present

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second appeal was filed by the Appellant on 21st August, 2008 alleging incomplete and incorrect information.

3. Notices were issued on 28/08/2008 by the Commission and personal hearing was fixed on 15/09/2008, 29/09/2008, 14/10/2008 and 21/10/2008. Neither the Appellant nor the Public Information Officer have participated in the proceedings.

4. On a perusal of the appeal memorandum alongwith the reply endorsed by the Appellant himself, it is revealed that there is no substance in what the Appellant has claimed now except on one point as discussed below. The Appellant has requested for a lot of information relating to various Public Information Officers as mentioned earlier. Only the following questions are related to the matters connected with the Goa Medical College.

Question no. 6(a-1): AT PRESENT, Which Group-A gazetted employees from Goa Medical College are granted, and consequently have been availing, extraordinary leave to seek employment elsewhere in India or abroad under government notification no.2/5/95-PER dated 02/01/2003?

Ans.: 1. Dr. Gokuldas Gaude, Asst. Lecturer in PSM.
2. Dr. Vijayraj Dessai, Medical Officer, Blood Bank.
3. Dr. Peter Rodrigues, Asst. Lecturer in Pathology.
4. Dr. Deepa Kamat, Lecturer in Anatomy.
5. Dr. Nandita Pereira, Lecturer in Physiology.

Question no. 6(a-2): Are the employees referred to in Question no. 6(a-1) granted extraordinary leave SPECIFICALLY/PARTICULARLY from their job or GENERALLY from the employment in Government of Goa?

Ans. : Generally from the employment in Government of Goa.

Question no. 6(b-3): AS PER RULES, for official purposes (such as intimation of certain matters), in relation to Group A employees working in Goa medical college, what is the designation of the concerned employee who is the PRESENT head of the department of GOA MEDICAL COLLEGE? – Is it the Dean or the secretary of Health?

Ans.: Dean.

Question no. 6(b-4): AS PER RULES, for official purposes (such as for intimation of certain matters), in relation to Group C employees working in Goa medical college, what is the designation of the concerned employee who is the PRESENT head of the department of GOA MEDICAL COLLEGE? – Is it the Dean or the secretary of Health?

Ans.: As same as 6(b-3).

Question no. 6(c-1): Which Group – A gazetted employees from Goa Medical college are, AS ON TODAY, suspended from their employment in Goa Medical college?

Ans.: Dr. S. D. Sapeco, Professor & Head, Department of Forensic Medicine.

Question no. 6(c-2): What is the reason for the suspension of theses employees referred to in Question no. 6(c-1)?

Ans.: May be obtained from Vigilance Department.

5. I find that there is no vagueness nor inconsistency nor incorrectness prime facie as per the answers given by the Public Information Officer. However, while answering question No. 6(c-2) regarding the reasons for suspending Dr. S. D. Sapeco, Professor and Head of Department of Forensic Medicine, the Public Information Officer has asked the Appellant to obtain the reasons from the Vigilance Department. If the reasons are not available on the records of the Medical College, they should be obtained from wherever they are available like the Vigilance Department in this case and should be given to the Appellant. This is because Dr. Sapeco is an employee of the Medical College.

6. With the above direction, the second appeal is partly allowed. The Public Information Officer should give the information to the question No. 6(c-2). In respect of all other questions and prayers of the Appellant, are disallowed. The appeal is partly allowed. Parties may be informed by post.

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

