

GOA INFORMATION COMMISSION

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

Appeal No. 207/SCIC/2008

Shri. Ketan S. Govekar,
F-5, Wadji Building, Next to St. Inez Church,
St. Inez, Panaji – Goa – 403 001.

..... Appellant.

V/s.

1. Public Information Officer,
Mr. S. J. Godse,
Dhempe College of Arts & Science,
Miramar, Panaji - Goa.
2. First Appellate Authority,
Dr. S. V. Deshpande,
Dhempe College of Arts & Science,
Miramar, Panaji - Goa.

..... Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 06/02/2009.

Appellant in person.

Respondent No. 1 in person.

Respondent No. 2 absent.

ORDER

This disposes off the second appeal filed by the Appellant against letter-cum-order dated 7/11/2008 of the Respondent No. 2, First Appellate Authority under the Right to Information Act, 2005 (for short the RTI Act). By the impugned order, the Respondent No. 2 has forwarded the information of the workload of the teachers of Dhempe College of Arts and Science, Miramar, Panaji which was not asked by the Appellant. The Appellant's case is that he filed a request for information under the RTI Act containing 10 points to the Public Information Officer on 21/08/2008. The Public Information Officer has neither rejected nor given the information within the time prescribed under the RTI Act. While the Appellant pursued further with him, a belated reply was sent by the Respondent No. 1 herein who is the Public Information Officer on 5th October, 2008. Not satisfied, the Appellant has moved his first appeal to the Respondent No. 2 on 11/10/2008.

...2/-

2. The grievance of the Appellant is that of the 10 points for which he has asked for the information, the information to question No. 6 is not given to him. The question is as follows: -

“6. If the answer to the above is yes then also inform under what specific provisions of Goa University Statues/Ordinances a Junior teacher has been appointed as a HOD in your college.”

3. The First Appellate Authority as mentioned above has forwarded Statues of the Goa University regarding the work load of the teachers for the faculty of Arts including education. The Appellant’s question is about specific provisions of the Goa University Statues under which a Junior Grade Officer has been appointed as the Head of the Department. It is the case of the Appellant that the Head of the Department necessarily should be in the senior grade or the selection grade to be appointed as the HOD and that no lecturer can be appointed as the HOD unless he is in any of those two grades. It appears that at least in the faculty in which the Appellant is working, a departure is made where the junior grade lecturer was appointed as HOD. At the time of arguments, the Public Information Officer has agreed to this. He has not specifically mentioned under which provisions of the Goa University Statues such an appointment was made nor did he mention that the appointment made is not in accordance with Statues of the Goa University. The reply given is that to this point is “please refer to the Statues of the Goa University”. It is, therefore, necessary for the Public Information Officer to give a specific reply whether appointment of the junior grade officer as the HOD is in accordance with the Statues of the Goa University. If he cannot do this, he should give a copy of notings and the decision of the appointing authority leading to such an appointment or the minutes of the Selection Committee, if they exist.

4. With this, the appeal is partly allowed. The above specific reply should be given to the Appellant within the next 10 days.

Pronounced in the open court on this 6th day of February, 2009.

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

