

GOA INFORMATION COMMISSION

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

Complaint No. 59/SCIC/2008 in
Appeal No. 76/SCIC/2008

Advocate N. B. Chodancar,
H. No. 55/A,
Small Guirim, Vancio,
Bardez – Goa.

..... Complainant.

V/s.

1. Public Information Officer,
Deputy Director of H.I.B.,
Directorate of Health Services,
Panaji - Goa.
2. First Appellate Authority,
Directorate of Health Services,
Panaji - Goa.

..... Opponents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 13/02/2009.

Complainant in person.

ORDER

This is a complaint of non-execution of the order passed by this Commission dated 15/12/2008 in the second appeal No.76/SCIC/2008 filed by the Complainant. In my earlier order, I have directed the Public Information Officer, the Opponent No. 1 herein to give a reply to the Complainant "Whether Smt. Talaulikar has availed maternity leave benefits from Govt. of Goa three times." In response to this order, the Public Information Officer has informed the Complainant that the information sought by the Complainant is "No as per the available records". The Complainant now says that this was not stated earlier to him. He is of the opinion that the information is available with the Opponents and it is being suppressed willfully.

2. Notice was issued to the Complainant for hearing him on admission. The Complainant reiterated before me that indeed Smt. Talaulikar has availed of maternity leave three times and that the Opponents are deliberately saying "No" to his question. It is difficult for

...2/-

the Commission not to believe the reply of the Opponent No. 1 that Smt. Talaulikar has not availed the maternity leave for the third time. It is true this information should have been given to the Complainant in the first place which would have avoided not only his suspicion but also the subsequent litigation. Anyway, now it is done though late. There is no reason for me to interfere further in the matter. If the Complainant is still having his own doubt, nothing prevents him from approaching the Opponents by specific questions asking for the documents of all maternity leave applications availed so far by the lady as well as copies of the entries in the service book of the lady relating to the maternity leave. He could also counter check with the Directorate of Accounts about the factual position from pay bills or leave salary records maintained in the Directorate of Accounts.

3. In view of this, there is absolutely no merit in the complaint and accordingly it is dismissed.

Announced in the open court on this 13th day of February, 2009.

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

