

Central Information Commission

Central Information Commission

Shri Sanjiv Kumar Jain vs Regional Passport Office, Hudco ... on 3 July, 2006

ORDER

Brief Facts:

1. The case pertains to one Dr. Vankayalpati Sri Venkateswar Prasad who had studied in AIIMS and got an MBBS degree in the year 1986 and later opened a deluxe hospital, the Krishna Institute of Medical Science (KIMS) in Hyderabad. Dr. Prasad treated Shri Sanjeev Kumar Jain's son who allegedly died at his hands. Shri Sanjeev Jain and his wife Smt. Anju Jain, a lecturer in Zoology, felt that Dr. Prasad was not a competent doctor and according to them on further enquiries, they discovered several discrepancies in the certificates the doctor had earned not only during his term of education, but even later. There were also discrepancies in the details of the passport that he had used to go to America. The couple, Shri Jain and Mrs. Anju Jain delved further into the matter and were convinced that this is a case of a fake doctor. To strengthen their case, as also to procure documents to pursue the matter further, they applied to AIIMS to provide them with photocopies or certified copies of the degrees and certificates that the AIIMS has in possession regarding this doctor. They also applied to the Regional Passport office, New Delhi for details of the passport number as well as the photograph on Dr. Prasad's passport in order to find out whether he was using more than one passport. The AIIMS supplied them some documents which according to the couple were not only incomplete but unsatisfactory. The Passport Office too refused to entertain their request on the ground that the request was an invasion of the privacy of the individual in question and, therefore, they could not disclose the information under Section 8(1)(j) of the Right to Information Act, 2005. The couple then approached this Commission for help in getting the requisite documents from AIIMS as well as the Passport Office.

2. The case was heard by a Bench comprising Dr. O.P. Kejariwal and Prof. M.M. Ansari on 26.6.06. The Appellants, both husband and wife, were present at the hearing. No representative either from AIIMS or the Passport Office attended the hearing.

Decision:

3. The Commission heard the case in detail and also examined several documents produced by the Appellants and came to the conclusion that the case had prima facie evidence of forgery, impersonation and falsification of documents. To establish the truth, therefore, it was necessary that all the documents regarding Dr. Vankayalpati be made available to the Appellants. The Commission ordinarily would not have entertained the request of the Appellant as the information related to the third party and being personal, the third party should be given notice in the interest of equity but this is a case of a Doctor who already allegedly mishandled a case causing loss of life and is also the Director of an entire medical set up. Therefore, the matter is definitely in public interest and is covered by Section 8(2) of the Act and warrants a thorough investigation.

4. The Commission, therefore, directs CPIO, AIIMS to make available to Shri Sanjeev Kumar Jain and Mrs. Anju Jain all the records regarding Dr. Prasad and also provide them photocopies of the documents they required without payment of fees.

5. The Commission also directs the Passport Office to provide to Shri Sanjeev Kumar Jain and Smt. Anju Jain a copy of the photograph of Dr. Prasad as in his passport and also the passport number without payment of any fee and allow them also to inspect any other passport carrying the same name but with different details.

6. The information as directed in para (4) and (5) above shall be provided without delay to the Appellants.

7. The Commission notes with regret and concern the absence of the representatives of both the Respondents at the hearing of the case. It directs the PIO of AIIMS, Shri Debhashish Panda to explain why the penalty as

provided under Section 20(1) of the Right to Information Act be not imposed upon him, for supplying incomplete information to the Appellants that too after a delay of almost 3 weeks on expiry of prescribed period.

8. The next date for hearing for PIO, AIIMS is fixed for 25th July, 2006.