

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.



Date: 17/10/2017

To

The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

OFFICE OF PUBLIC INFORMATION OFFICER	
KTC LTD	
Porvorim Goa	
Inward No.	28
Date	17/10/2017.
	Sign

Sub: information under RTI,

1. Provide the inspection of following records from personal files of Shri Mahesh Kamat

- a. File no. 566, page nos. 1/C to 32/C, 33/C to 760 & 761 to 850  
b. Note sheet page nos. 1/N to N/65

I am not interested to verify the contents of the said files. I am only interested to confirm the running page nos. and their existence on file records at the point of inspection. If it is informed that all pages with their respective serial nos are intact in respective files, I will not insist for inspection.

2. Provide inspection of records of finance department which show the receipt of note dated 6/6/2007 put up by Shri Pawse in connection with the compulsory retirement of Shri Kamat

3. Provide inspection of records of personnel department and legal department which show that they have provided the copy of note dated 6/6/2007 put up by Shri Pawse in connection with the compulsory retirement of Shri Kamat to finance department

PM  
Files are intact.

Replied.

no records available.

No ke in!

DyFC

ALA  
PM

Not available

4. Provide certified copy of RTI application dated 27/7/11 filed by this applicant and compliance vice letter KTC/PIO/ 166(406) 11-12/232 dated 25/8/2011.

PM

5. Provide inspection of all records dealing with revocation of suspension order dated 8/6/2007 from initial note sheet till order of stand revocation dated 4/12/2014

PM

6. Provide the inspection of suspension order dated 8/6/2007 issued by Goel and held by Shri Neto during various periods from his joining till the date of inspection.

Not Available

PM

7. Provide inspection of records of submission of note dated 6/6/2007 by Personnel department to legal department

ALA-NA

8. Provide inspection of records of receipt of note dated 6/6/2007 by legal department to from personnel department

Shri ing. NA

9. Provide information about the date of joining and retirement of Shri V. V.S. Kunkolienkar in KTCL and different capacities he worked during times including the additional charge of Personnel Manager

my NA

10. Provide inspection of files dealing with compulsory retirement of Shri Kamat from 154<sup>th</sup> meeting till 157<sup>th</sup> meeting - Work imp at 7. imp

ALA NA

11. Provide inspection of documents/ material furnished to Adv, Usgaokar for drafting the affidavit on behalf of KTCL in writ petition filed by Shri Kamat

office details not given

12. Provide inspection of all records related to board meeting for the latest 2 board meetings

office details not given

13. Provide inspection of all replies received from Neto or any other custodian of records as regards the non- availability of records of stands revoked suspension held by PIO on the basis of which the PIO had submitted a compliance that the records of stands revoked suspension are not available with corporation NA

14. Provide inspection of record that determines the following opinion arrived at the review committee recommendations and the opinion formed by the Board for the purpose of compulsory retirement under Fr56J

NA

1. His (ShriKamat ) mind set based on communication dated 10/01/2006

NA

2. He (Shri Kamat) involved in unwanted and unnecessary activity vide communication dated 14/4/2007

Public

3. His (Shri Kamat) activities were unwanted vide communication dated 23/7/2007, 25/7/2007, 26/6/2008
4. His (Shri Kamat) attitude towards his work and responsibility was not proper vide communication dated 22/2/2007

**Note: above observations are taken from the submissions of Shri Usgaokar, Advocate in writ petition 569/2008 before Hon. High Court.**

5. If above opinion was not formed by the Board or the review committee on records, kindly furnish the records if any existed on KTCL records which show that any officer / representative of the KTCL who parted with the conclusions based on communication of Shri Kamat, referred to above to Adv. Usgaokar. Alternatively it may be informed whether such conclusions were arrived at by Mr. Usgaokar for defending the KTCL. if it is confirmed that the opinion as above is the legal point of advocate in legal defense, I shall not persist for the inspection / records.

15. Whether any action taken by Shri Neto to recover Rs. 7294/- being illegal reimbursement of medical expenses taken by Shri Goel from KTCL. If yes, kindly furnish the records. - NA

16. Wherever the inspection is sought, if I am informed that records sought were never existed in KTCL, I shall not insist for the inspection.

17. Provide copy of letter dated 25/9/2014 regarding suspension order filed before MD & Disciplinary Authority and acknowledged on 25/9/2014

18. Provide inspection of personal files of Shri Pawse, Shri Harmalkar & Shri Kunkolienkar to know whether Mr. Neto had taken any action against the representation filed by this applicant in the matters related to CRS and final settlement. *As NO action taken by Mr. Neto hence inspection of files not required*

19. Furnish dates on which Mr. Neto started revocation process against suspension order dated 8/6/2007 — NA

20. Furnish copy of CRS order dated 19/7/2007 issued to the applicant and corresponding stand revocation order against that order in terms of rule 10 (5) of CCS CCA — *check if given.*

21. Provide copy of letter dated 25/9/14 filed by the applicant before MD, KTCL, on the subject of suspension order — *copy is already acknowledge hence no copy required to be given as per records*

*NA*  
*The information does not fall within Purview of RTI*

*The inf. sort is not clear here cannot be given as request*

22. Furnish the record of order of dismissal, removal, compulsory retirement invoked under rule 10 (5) (a) with respect to suspension order dated 8/6/2007 by Mr. Neto - ~~NA~~

23. Furnish the inspection of records of charge sheet, disciplinary proceedings, enquiry officers findings and order of dismissal, removal, compulsory retirement passed by Mr. Neto with reference to suspension order dated 8/6/2007 - ~~NA~~

24. Furnish the records of action taken by Shri Neto to recover irregular reimbursement of medical bills to Mr. Goel and action taken with the Ministry of human affairs/ ministry of personnel and training, New Delhi - ~~NA~~ ~~NA~~

PM  
ALA

25. Furnish the records of action taken by Mr. Neto to locate the Board file and file of individual with reference to which he has sanctioned free legal aid to Shri Kunkolienkar and shri Harmalkar in civil suit filed by shri kamat - ~~NA~~

(Mahesh kamat)

From:

Shri Mahesh Kamat  
CD Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 21/12/2018

To

The PIO

Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information:

1. An affidavit dated 25/09/2018 filed by the PIO before information commission that Shri Mahesh Kamat , appellant was an ex employee of KTCL has been given compulsory retirement by KTCL by following due procedure established by law. The law is Fundamental Rule and provision is 56 (J). The procedure and guidelines are laid down in chapter 19 in the manual of disciplinary proceedings from page nos. 543 to 567. Furnish the records of procedure of law followed by KTCL in the compulsory retirement of Shri Mahesh kamat , Ex- employee
2. The compulsory retirement of shri Mahesh kamat is sought in public interest. Furnish records to show the constituent members of public I whose interest the compulsory retirement is given and record constituting the public who are exempted from seeking this information which is made in their interest
3. Whether the PIO is having any record which debars Shri Mahesh Kamat seeking the information under RTI in the matter of his suspension and


OFFICE OF PUBLIC INFORMATION OFFICER  
KTCL LTD  
Porvorim Goa  
Inward No. 91  
Date 21/12/2018. Sign



compulsory retirement. Furnish the copy of order of the competent authority. I am not interested in the order in appeal on RTI application passed by the Appellate Authority where in only liberty is expressed to be exercised by the PIO and if the liberty is exercised by the PIO to debar the applicant shri Mahesh Kamat , furnish the relevant records.

4. Vide letter dated 20/04/2018 , Shri Sanjay Ghate, General Manager had informed the Povorim Police that suspension order dated 8/6/2007 issued by Shri Goel who was in KTCL, upto 31/8/2008 is revoked by Shri Neto who is in KTCL from 25/3/2012. The suspension period disclosed as from 8/6/2007 to 20/06/2008. Furnish the record of suspension order dated 8/6/2007 or any amendment issued to the said order by shri Goel who was in KTCL from 9/3/2007 to 31/08/2008
5. Furnish the records of recommendations made by the review committee and as accepted by the competent authority in the matter of compulsory retirement of Shri Mahesh Kamat as below:
  1. Mindset of the applicant with reference to letter dated 10/01/2006
  2. Indulging in unwanted and unnecessary activities with reference to letter dated 14/6/2007, 23/7/2007, 25/7/2007,26/6/2008
  3. Improper attitude towards work and responsibilities with reference to letter no. 22/2/2007
6. If following records are found in the service records of Shri Mahesh kama, if yes furnish the records
  1. Four suspensions prior to suspension dated 8/6/2007
  2. Embezzlement of postal commission
  3. Alteration of birth certificate of Shri Narhari Naik
  4. Litigation in the apex court between shri Mahesh Kamat & Shri. Vallabhdas Kunkolienkar
7. Whether any order of compulsory retirement , dismissal, removal issued to shri Mahesh Kamat in respect of contemplated disciplinary proceedings under suspension order dated 8/6/2007 issued by Shri Goel, if yes furnish copy
8. Memo No/ KTC/ ADMN/1-2/97-98/101 dated 2/2/1998 issued to shri Shrikant V. Naik, Dy. GM. (Tech)

9. Memo No/ KTC/ ADMN/1-2/97-98/108 dated Nil issued to shri Pramod A. Gaokar, Purchase officer
10. Voucher No. 1348 dated 2/9/95, payment to Vishuni Enterprises
11. Copy of General ledger 94-95, Vishuni Enterprises
12. LTC, claim dated 13/01/1995, in respect of Shri Mahesh Kamat
13. Order No. KTC/ ADMN/ 1-2/ 2002-03/ 61 dated 27/8/2002, revocation of suspension order dated 24/2/2001, issued to shri Mahesh Kamat
14. Felicitation of Shri Mahesh Kamat, AFC for promoting small savings movement from the annual report
15. Records of promotions of Shri Pramod Gaokar from Purchase officer onwards
16. KTC/ STAT/ /152 dated 2/9/2009 from Mario Ataide to PIO
17. Furnish copies of letters of this applicant dated 17/2/2014 & 8/4/2014 replied by Shri Rajiv Naik , Personnel officer vide his letter KTC/PERS/ 566/2014-15/126 dated 19/4/2014
- ✓ 18. List of funds drawn by KTCL from the Govt under various heads such as share capital, subsidies etc and basis of making such claims
19. List of operational parameters maintained by KTCL such as KPTC, EPKM, CPKM, cancellation of route Kms, Accidents etc etc.
20. Off road position of \_\_\_\_\_, two months prior to and after my complaint about leaking of A/ C and reasons for off road if any

  
(Mahesh Kamat)

*specific  
information  
not available*

*details not  
supported  
by documents.*

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 21 /05 /2018



To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 15  
Date 22/5/18  
Sign

Sir,  
Sub: information under RTI, Act.  
Kindly furnish following information:

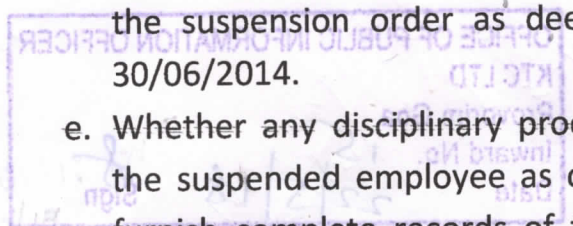
1. Suspension of Shri Mahesh Kamat, vide order dated 8/6/2007
  - a. Whether the suspension period from 8/6/2007 to 20/06/2008 was specified in the order at the point of issue as on 8/6/2007. If yes, furnish the copy of record. If not, state the factual position.
  - b. Whether the suspension order dated 8/6/2007 was later modified to include the suspension period from 8/6/2007 to 20/06/2008. If yes, give furnish following records:
    - a. The instrument by which suspension order was modified and communicated to the suspended employee, if not state the factual position.
    - b. The instrument by which the suspension order was revoked requiring the suspended employee to join duties and defining the treatment of suspension period. If not, state the factual position.

*Indhakur*  
*[Signature]*  
22/5



PO ✓

- c. The instrument by which the finance department / Personnel department was notified the period of suspension and treatment of suspension period. If not state the factual position.
- d. Whether the disciplinary authority in respect of suspension order was delegated to Shri Kunkolienkar , GM holding the charge of Personnel Manager, if yes furnish the instrument of delegation of authority from the Disciplinary Authority. If not, kindly furnish the record under which Shri Kunkolienkar exercised the authority to treat the suspension order as deemed revoked vide his order dated 30/06/2014.
- e. Whether any disciplinary proceedings came to be initiated against the suspended employee as contemplated under the order. If yes, furnish complete records of the disciplinary proceedings from the stage of disclosure of charges to enquiry findings to issue of order of penalty if any. If not state the factual position.
- f. Whether the order of compulsory retirement as punishment under CCS CCA for proved charges in disciplinary proceedings came to be issued to the suspended employee, if yes provide the copy. If not, state factual position.
- g. Provide the instrument dated 20/6/2008 vide which the suspension order dated 8/6/2007 is ordered revoked through merger of order of suspension into order of penalty
- h. Furnish copy of order of revocation dated 20/6/2008, if any. If not state the factual position.
- i. Furnish the records held by Mr. Neto to incorporate the suspension order dated 8/6/2007 was from 8/6/2007 to 20/06/2008.
- PO j. Furnish the records held by Mr. Neto to merge the suspension into the order of penalty under rule 10 (5) (a) of CCS CCA vide his order dated 4/12/2014
- k. Furnish the records held by Personnel Department to show the suspension period was from 8/6/2007 to 20/6/2008
- l. Furnish the records put before Mr. Neto by the Personnel Dept to establish that suspension period was from 8/6/2007 to 20/06/2008



and that any order of penalty dated 20/6/2008 was passed against the suspended employee, proposing the merger of suspension order into order of penalty dated 20/6/2008

LA  
PO

c. Vide resolution 71/2007, the Board had approved not to dismiss/ retire the applicant in disciplinary proceedings instead to retire the applicant under FR 56(J). Furnish the records if any wherein the Board subsequently reversed its decision from not to dismiss/ retire the applicant in disciplinary proceedings to dismiss/ retire the applicant under disciplinary proceedings. If yes furnish the copy of resolution. If not state the factual position.

2. Compulsory retirement under FR 56(J)

a. The resolution adopted by the Board if any to constitute the review committee to review the entire service records for performance appraisal for the purpose of compulsory retirement. if yes, furnish the constituent members of the committee. If not, state the factual position

b. Furnish the report of review committee with respect to resolution 71/2007 and 43/2008. If not state the factual position

c. The resolution adopted by the Board if any to constitute the representation committee to review the representation against the order of compulsory retirement. if yes, furnish the constituent members of the committee. If not, state the factual position

d. Whether the report of review committee was considered by the Board in terms of resolutions 71/2007 & 43/2008. If yes furnish copies , if not state factual position

e. Whether the report of recommendation committee was considered by the Board in terms of resolutions 71/2007 & 43/2008. If yes furnish copies , if not state factual position

f. Whether the Board had formed the opinion to dispense with further services of applicant as per rule Fr 56(J) with reference to resolutions 71/2007 & 43/2008. If yes, furnish copies, if not state factual position.

g. Whether Board had resolved to withdraw the compulsory retirement approved vide resolution 71/2007 for reconsideration. If yes , furnish copies , if not state the factual position

- h. Whether the chairman had received the opinions of individual directors as approved by the Board , prior to resolution 43/2008 at the stage of reconsideration
- i. Whether the finance department was provided with copy of note dated 6/6/2007 on compulsory retirement put up by Shri T. K. Pawse , officiating as Personnel Manager. If yes provide the copy, if not state the factual position.
- j. Following material on assessment for purpose of Compulsory Retirement was placed before the High Court in writ 569/2008:
- Communication dated 10/1/2006 with opinion of mind set of the petitioner
  - Communication dated 14/04/2007 with opinion of unwanted and unnecessary activities
  - Communications dated 23/07/2007, 25/07/2007, 26/06/2008 with opinion of unwanted activities
  - Communication dated 22/2/2007 with opinion of attitude towards work and responsibilities
  - Records of material and opinion that the applicant was challenging the directions of the superiors whereby affecting the efficiency in performing the duties

Furnish the records of assessment made for the purpose of compulsory retirement and opinion formed against above communications by any authorities namely the review committee, representation committee, Board and executives of the KTCL, Mr. Usgaokar , Advocate for KTCL. If not, state the factual position.

3. Following records are found incomplete, overwritten and in draft form since 2007 till date. Kindly furnish the original copies. If they have not been created, state the factual position.

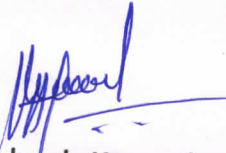
- Note dated 6/6/2007, from Shri Pawse , Personnel Manager
- Undated, unsigned note from Shri Goel, MD.

4. Following records are not furnished to me nor found in the records offered for inspection. May state whether these records are created by the corporation. If yes, furnish the records, if not state the factual position.

1. Four suspensions prior to suspension order dated 8/6/2007
2. Embezzlement of postal commission
3. Alteration of birth certificate
4. Involvement in side business
5. Litigation at the apex court

(Mention of above records is found in the agenda item 9 of 156<sup>th</sup> Board meeting dated 4/4/2008)

I have been put to inconvenience of making repeated applications involving costs and harassment in getting the factual position by giving unclear replies in form of not available, not maintained, inspected, searched, taken cognizance, cross reference to earlier applications etc which is misleading and false information considering the fact that I am the subject of above issues and whatever records issued to me in the same form they exist in the files of corporation. Whatever records not created are neither with me nor on KTCL records even though the action taken records show that all the above records stated above have been created. Hence either you have to furnish the correct records or admit factual position of non creation of such records.



(Mahesh Kamat)

From:

Mahesh Kamat

Shivnery Cooperative Housing Society

Comba Margao Goa

Date: 18/12/15

To,

The PIO

Kadamba Transport Corporation Ltd

Paraiso De Goa

Alto Porvorim



82  
18/12/2015  
Suhail

Kindly furnish following information under RTI act, 2005

- P.O./A.C.A
1. All records relating to the resolution no. 84/11 as regards the absorption order to Shri S. V. Naik ex General Manager such as records of order of appointment of Shri S. V. Naik in KTCL as works Manager, proceedings of DPC/ DSC, representations filed by him for relaxation under rule 88 of CCS Pension rules 1972, departmental noting from Personnel Department, opinions of acceptance / refusal by the MD, opinions of Legal department of KTCL, order of relaxation in absorption, pay fixation at the time of appointment / absorption as works Manager, Govt order 65/5/ 2002/PCE-PWD- ADMN (ii) 84 dated 27/05/2010 and all records related to the issue of relaxation under rule 88 of CCS pension rules 1972 since the date of appointment till the date of order of relaxation in absorption as action under resolution 84/11. Also provide inspection of complete records. (not file)
  2. Note dated 4<sup>th</sup> June 2007 by Shri T. K. Pawse on the subject of implementation of compulsory retirement scheme to the officers of the corporation with complete records of outward of this document from personnel department to legal/ office of MD and records of inward of said note by ADMN & Legal department. Copy of said note from office of Personnel department and legal department (both). If personnel department had not initiated this note, kindly be informed accordingly.
- P.O./A.C.A

3. Court judgment dated 16/12/2008 in private case 71/p/98, Shri Mahesh Kamat versus Vallbhdas Kunkolienkar bearing court outward no. 204 dated 9/1/ 2009 issued to Shri Kunkolienkar by the civil court is on the records of KTCL. Furnish documents of receipt of said judgment copy by MD/ LA from Shri Kunkolienkar, or receipt by LA from MD or from court or any other source into KTCL. Also furnish the source of receipt by KTCL of booking docket exhibited by Shri Kunkolienkar in the said private case which is also on the records of KTCL, copy of which is furnished under RTI by PIO.
4. Complete records of periods from the year 2007 where office of Personnel Manager/ Personel officer held by Shri T. k. Pawse and Shri V. D. Harmalkar independently and periods when part records held by Mr. Pawse and Mr. Harmalkar as regards the personnel records of Shri M. P. Kamat with duties / responsibilities as regards the final settlement after his compulsory retirement fixed on respective officers .
5. Leave records of Shri T. K. Pawse and Shri V. D. Harmalkar covering the period June 2007 till Dec 2008
6. Names of officers ceased to be employees of the corporation by reason of dismissal, superannuation, expiry, premature retirement along with dates of dismissal, superannuation, expiry , premature retirement along with date of submission of proposal of final settlement by Personnel department to the finance department and date of actual payment of final settlement by finance department from the year 2000 till date.
7. Whether the personnel department initiated final settlement process of Shri Kamat and sought approval from MD/ ALA/LA any time after Sept 2008 but before May 2014 and remarks of MD/ ALA/ LA to settle or withhold the final settlement.
8. ALA vide note dated 19/7/2014 provided copy of unsigned note dated 6/6/2007 with clarification that said note is forming part of CRS proposal filed with affidavit in writ petition to the GM with request to do the needful in this regard, GM remarked " PO to keep these documents in safe custody". Furnish records to show the action taken on the said note or use of said note by the GM holding charge of Personnel Manager while proposing the final settlement of Mr. Kamat.

PO/ALA

R.O

PO

PO/PA/PC  
16 years

PO

PO

9. Furnish copy of letter filed by Shri Kashinath Shetye before the GM/PM holding charge as regards disowning note dated 6/6/2007 by T. K. Pawse with request to withhold his final settlement and action taken on the said note by GM/ PM in charge. If no action is taken, inform accordingly.

10. Names of Directors who supported the Compulsory retirement of Shri Kamat under resolution 71/2007 & 43/2008 along with the residential addresses where the notice of Board meeting and agenda copy was delivered and names of Directors <sup>with addresses</sup> since the 7/5/2014 till date.

11. Names & designations of officers in KTCL retired from the services of under FR 56 (a) as superannuation retirement and under FR 56 (j) as premature retirement with particulars of officers who retired while on duty and while under suspension since 1990.

12. Constitution of screening committee if any in KTCL with details of constituent members to review the service records of employee for the purpose of compulsory retirement under FR 56(j).

13. Whether following records held/ relied upon by KTCL for arriving at opinion of compulsory retirement of Shri Mahesh Kamat are service records of Shri Mahesh kamat in KTCL and if yes under what provisions/ rules applicable to KTCL:

- a. Judgement in private case 71/P/98 between shri Kamat & shri Vallabhdas V. S. Kunkolienkar
- b. Booking docket exhibited as PW1/ D-7 in the above cited private case
- c. Civil dispute at apex level between Shri Vallabhdas Kunkolienkar and Smt. Hirabai Kamat

14. Order of appointment / promotion of V.v. S. Kunkolienkar as Dy. GM and GM, Shri George Fernandes as Manager EDP and Shri S, V, Naik as Managing Director and copy of affidavit filed by him in writ 569/2008.

15. Whether the final settlement of Shri Kamat as proposed by GM/PM is as per rule 56 (a) ie superannuation, as 56 (j) ie premature retirement in public interest or as ccs CCA ie dismissal/ removal/ penalty

16. The note date 6/6/2007 is acknowledged by the PM that is not the CRS proposal from personnel dept and not the note initiated by PM and there are no records of outward of said note from Personnel dept to any other

PO/ALA

department. The said note is provided as official record of KTCL by ALA vide note dated 19/7/2014 which note is received and put into safe custody by GM. Kindly inform whether said note is accepted by the GM/PM as the note of personnel department and relied upon while proposing final settlement of Shri Kamat. If not whether GM/PM reported non acceptance to the higher authorities in KTCL and noting thereof.

PO/DyFC  
12B

17. The final settlement of shri Kamat is approved by Dy. FC and MD as proposed by GM. Kindly inform whether the data about leave, recovery and gratuity furnished by GM/PM is only a record available in the personnel department to be dealt with by the DY. FC as per rule FR 56 (j) and note dated 6/6/2007 or instructions to DY. FC to restrict the final settlement of Shri Kamat to the records of leave, gratuity and recovery proposed by him without considering the provisions of FR 56 (j) and note dated 6/6/2007.

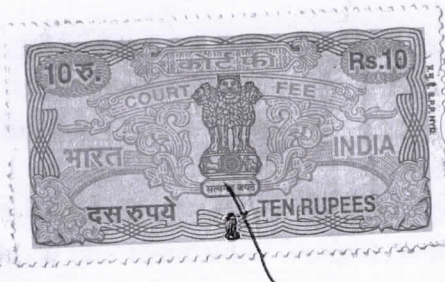
  
( Mahesh Kamat)



31c

om:

Mahesh Kamat  
Flat No. 101  
The seasons cooperative Housing society  
Murida , Fatorda , Margao Goa.



Date: 22 /03/2016

To:

The PIO  
KTCL  
Paraiso De Goa  
Porvorim Goa.

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 94  
Date 22/3/16  
Sign

*Handwritten notes:*  
Info to  
OSD / PM / ACD  
+ to inform the  
PIO by 15/3/2016  
23/3

Sub: information under RTI, Act

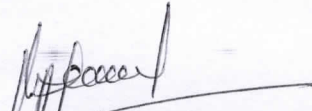
Furnish following information

1. Give office procedure in KTCL for acknowledging the documents/ applications etc received from outside sources right from maintaining the inward register. Also inform whether maintaining the inward register is mandatory or exemptions if any allowed to any department from not maintaining the inward register. Also inform whenever the maintenance of inward register is mandatory, any specific class of documents is exempted from documentation through the inward register.
2. Give office procedure for interdepartmental movement of documents whenever such a movement is desired after the document received from outside is acknowledged through the inward register. Inform exemptions if any allowed to any department from not maintaining an outward register when a document is submitted/transferred to another department. Also inform if the maintenance of outward register is mandatory and if yes any exemption is granted to any document from not recording its movement from one department to another.
3. Explain the official powers allowed to any officer to submit an official document without putting the signature of the officer, without dating , without giving any departmental reference to the document which is submitted from one department to another
4. Explain the official powers allowed to any officer / departmental head to accept and process all such documents received by him from another department which are not out warded from the transferor department and which are not dated, signed , with gaps for information that is not filled and not allotted any reference no. of the transferring department.
5. Give me the list of all notes which are submitted by the personnel department to the MD &Legal department which are not out warded from the Personnel department and which are not dated, not signed by Personnel Manager, with gaps for information that is not filled and not allotted any reference no. of the Personnel department for last 15 years

2/c

6. Give me the list of all notes which are received by MD & Legal department which are not outwards from the Personnel department and which are not dated, not signed by Personnel Manager, with gaps for information that is not filled and not allotted any reference no. of the Personnel department for last 15 years
7. Give me the list of all notes which are submitted by MD to Legal department which are not outwards from Administration department and which are not dated, not signed by Managing Director, with gaps for information that is not filled and not allotted any reference no. of the Administration department for last 15 years
8. Give the of all proposals submitted by Legal department to the Board of Directors for consideration in the Board Meeting which are not outwards from Administration/Personnel or any other department and which are not dated, not signed by respective departmental heads, with gaps for information that is not filled and not allotted any reference no. of the department that had initiated the proposal for last 15 years
9. Give list of all proposals approved by the Board of Directors which were placed before it for consideration in the Board Meeting which proposals were not dated, not signed by respective departmental heads, with gaps for information that is not filled and not allotted any reference no. of the department that had initiated the proposal for last 15 years
10. Give list of all proposals rejected by the Board of Directors which were placed before it for consideration in the Board Meeting for the reason that such proposals were not dated, not signed by respective departmental heads, with gaps for information that is not filled and not allotted any reference no. of the department that had initiated the proposal for last 15 years
11. Give the date of appointment of Mr. Neto as MD in KTCL.
12. Give the record from where Mr. Neto, Disciplinary Authority got the suspension period from 8/6/2007 to 20/06/2008 which is ordered stands revoked vide order dated 4/12/14
13. Give the list of all those cases of employees removed from the services of KTCL in respect of which the employees raised a legal dispute restricting the list to such cases wherein the removed employee's final settlement was undone pending the decision of the court for last 15 years.
14. Give list of employees who were removed/ dismissed from the services of KTCL but later on got reinstated under court orders clearly specifying the dates of removal, dates of final settlement and dates of differential payments upon reinstatement for last 15 years
15. Give complete list of suspension orders issued in the corporation where in the disciplinary authority had specified the period of suspension i.e. the effective date of suspension and date of revocation of suspension at the time of issue of suspension order itself for last 15 years
16. Give complete list of orders of revocation issued to any employee for last 15 years wherein:
  - a. Suspension order is revoked as "stands revoked"
  - b. Suspension order is revoked as "Deemed revoked"
  - c. Revocation order is issued not with immediate effect or subsequent to the date of order of revocation but with retrospective effect
17. Give records if any to show that order of suspension dated 8/06/2007 issued to Shri Mahesh Kamat was reviewed and extended from time to time with reasons recorded if any.

- 1/c
18. Give records to show that the order of suspension KTC/ADMN/1-1/2007-2008/24 dated 8/6/2007 issued to shri Mahesh Kamat, copies of which issued to various depts. of Ktcl, modified any time after 8/6/2007 by the Disciplinary Authority. If yes, furnish modified copy of the order.
  19. Give records to show that authority to order deemed revocation of suspension order referred to in para 18 above is delegated to the General Manager by the Managing Director, Disciplinary Authority.
  20. Give following information in respect of suspended employees for last 15 year:
    - a. Names of employees
    - b. Date of suspension order
    - c. Dates on which the charge sheet issued
    - d. Dates on which the suspension order revoked
    - e. List of suspension orders deemed revoked
    - f. List of cases stands revoked
    - g. Cases in which the charge sheet not issued any time after suspension
    - h. Cases in which the charge sheet not framed any time after suspension
    - i. Names of employees who retired while under suspension
    - j. Names of employees who retired not under suspension but on duty
  21. Give the copy of rule 56(J) of CCS CCA rules. **Very specifically it is stated that not of rule 56(J) of FR.**
  22. Give copy of letter issued by KTCL to Govt in respect of relaxation to Shri S.v.Naik with respect to his date of joining in KTCL which is approved by Board under rule 88 of CCS pension rules.

  
(Mahesh Kamat)

From: Shri Mahesh Kamat  
Shivnery Cooperative Housing Society  
Comba Margao Goa

Date: 25 /01/2016



CPS

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 74  
Date 25/1/16

To,  
The Public information officer  
Kadabma Transport corporation ltd  
Paraiso De Goa  
Porvorim

Subject: information under RTI, Act

Furnish following information:

1. Records relating to the appointment of Advocate to defend KTCL, Shri Kunkolienkar and Shri Harmalkar in case no. 68/2015 with order, remuneration and authority/ resolution if any to provide legal assistance to Shri Kunkolienkar and Harmalkar who are respondents in their personal capacity. Board resolution, proposal and agenda item if any extending legal assistance to officers who are also made the respondents along with KTCL.
2. Note dated 4/06/2007 issued under signature of Personnel Manager Shri T. K. Pawse not on the records of Personnel department but on the records of legal department, whether Kunkolienkar, PM now accepts or refuses to accept the note by previous Personnel Manager as the record of the Personnel department and as PIO as record of KTCL.
3. Note dated 6/6/2007 issued by previous Personnel Manager, returned to Personnel department by legal department under note dated 19/7/2014, whether Kunkolienkar as PM, now, accepts or refuses to accept the note by previous personnel manager as the record of Personnel dept and as PIO the as record of KTCL.
4. Provide inspection of other records maintained by Shri Goel that contained judgment in private case 71/P/ 98 and booking docket which is produced by Shri Harmalkar as annexure A copy pursuant to directions of the State information commission.
5. Inform the period / portion of calendar year with month, day and time where the judgment and booking docket mentioned above were handed over to Shri Harmalkar by Mr. Naik in presence of Shri Alex Lourance
6. Inform the exemptions for not recording inward & outward movement of following documents under inward and outward documentation procedures of KTCL
  - a. Note dated 4/6/2007

File & line

Exempted

- b. Note dated 6/6/2007
- c. Judgment in case no. 71/P/98
- d. Booking docket in case no 71/P/98
- e. Records mentioned in item No.9 of 156<sup>th</sup> Board Meeting dated 4/4/2008 as below:

1. Suspensions 4 times prior to last suspension
2. Embezzlement of postal commission
3. Change of service records of Shri Narhari Naik
4. Selling Maruti cars on premium
5. Forging signature of V.V.S.kunkolienkar
6. Litigation before Apex court

7. Inform the specific rule of CCS CCA under which the final settlement of Shri Mahesh Kamat is made

8. Inform whether note dated 6/6/2007 which is a official record of KTCL and Legal department of KTCL is or is not the official record of Personnel dept of KTCL

9. Inform whether note dated 4/6/2007 which is a official record of KTCL and legal department of KTCL is or is not the official record of Personnel department of KTCL

10. Furnish copy of suspension order dated 8/6/2007 issued to Shri Mahesh Kamat. Copy each from the record of personnel, finance and legal department.

11. Inform whether there is any order of suspension dated 8/6/2007 issued to Shri Kamat dated 8/6/2007 that specifies the date of suspension from 8/6/2007 to 20/6/2008. If yes furnish copy each from the record of personnel, finance and legal department.

12. Inform the provisions of CCS CCA rules which provide for revocation of suspension order dated 8/6/2007 invoked by:

- a. Managing Director vide order dated 4/12/2014 as stands revoked
- b. General Manager vide note dated 30/06/2014 as deemed revoked

13. Inform whether following records in respect of Shri Mahesh Kamat were his service records in KTCL prior to compulsory retirement:

- a. 4 suspensions prior to suspension order dated 8/6/2007. ( Answer with reference to total 4 suspensions)
- b. Embezzlement of postal commission
- c. Change of service records of Shri Narhari Naik

14. Inform when and how ( receipt records) Legal department came in possession of following records from other departments of KTCL:

- Note dated 4/6/2007
- Note dated 6/6/2007
- Judgment in case no. 71/P/98
- Booking docket in case no 71/P/98
- Suspensions 4 times prior to last suspension
- Embezzlement of postal commission
- Change of service records of Shri Narhari Naik
- Selling Maruti cars on premium

Shri Kamat  
56 (3)

A.C.B.

P.M.

- Forgedly sold car of shri V.V.S.kunkolienkar
- Litigation before Apex court

15. Inform when and how ( transfer records) the personnel department transferred following records to other departments ( Admintration, legal etc. of KTCL:

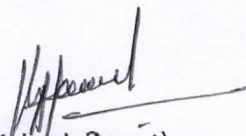
- Note dated 4/6/2007
- Note dated 6/6/2007
- Judgment in case no. 71/P/98
- Booking docket in case no 71/P/98
- Suspensions 4 times prior to last suspension
- Embezzlement of postal commission
- Change of service records of Shri Narhari Naik
- Selling Maruti cars on premium
- Forgedly sold car of Shri V.V.S.kunkolienkar
- Litigation before Apex court

16. Item no.9 titled as "To consider and decide regarding compulsory retirement of Shri M.P.Kamat Dy. Finance Caontroller (Costing and Budget) under FR 56 J" appeared before the Board in 156<sup>th</sup> Board meeting dated 4/4/2008. Furnish copies of all records attached to this proposal for perusal of the Board in the meeting. The copy of Item no. 9 is with me. What I seek is attachments to this item circulated to the Board in the agenda copy. Provide inspection of agenda circulated to the Board members.

17. Item no. 15 titled as "To consider and decide on compulsory retirement /dismissal of shri M.P.Kamat, Dy. Finance Controller, (b&c)" appeared before the Board in 154<sup>th</sup> meeting dated 11/6/2007. Furnish copies of all records attached to this proposal for perusal of the Board in the meeting. The copy of Item no. 15 is with me. What I seek is attachments to this item circulated to the Board through the agenda copy. Provide inspection of agenda circulated to the Board members.

18. Provide following records in relation to the compulsory retirement issued to Shri Kamat under FR 56 (J)

- a. Review committee report recommending premature retirement placed before the appropriate authority which approved the proposal of compulsory retirement.
- b. Opinion formed by the appropriate authority that it is in public interest to dispense with further services of shri M.P.kamat in KTCL.

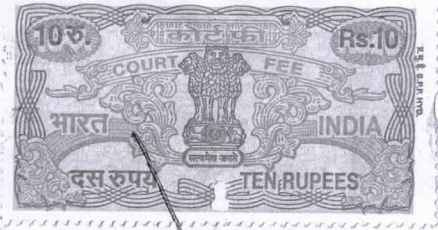
  
(Mahesh Ramat)

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 29/04/2016

To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa



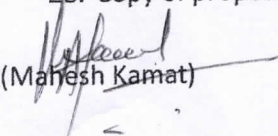
OFFICE OF PUBLIC INFORMATION OFFICER
KTC LTD
Porvorim Goa
Inward No. 11
Date 30/04/2016
Signature

Sub: information under RTI, sub. suspension order dated 8/6/2007 issued to Shri Mahesh Kamat  
Furnish following information:

1. Names of Managing Directors from 8/6/2007 till date
2. Duration of each Managing Director from 8/6/2007
3. Action taken by each MD on the suspension order dated 8/6/2007 as below:
  - a. whether reviewed for extension,
  - b. whether modified for stopping payment of subsistence allowance
  - c. whether revoked for inability to initiate enquiry proceedings or any other reason
  - d. whether any reasons recorded for continuation of suspension without further action
4. Whether suspension order dated 8/6/2007 specify the suspension period from 8/6/2007 to 20/6/2008, if yes give me the copy
5. The copy of records on the basis of which MR. Neto, Disciplinary Authority incorporated the suspension period from 8/6/2007 to 20/6/2008 in his stands revocation order dated 4/12/14
6. Furnish copy of suspension order if any served on Shri kamat that show the suspension period from 8/6/2007 to 20/6/2008.
7. Whether any other department of KTCL is provided with copy of suspension order dated 8/6/2007 which specifies the suspension period from 8/6/2007 to 20/6/2008. If yes, provide copy from that department.
8. Records to show when Mr. Neto, Disciplinary Authority initiated the process of stands revocation from his department or through the Personnel department
9. Whether any MD delegated authority to shri Kunkolinkar, GM holding charge of Personnel Manager to deal with above suspension order, if yes furnish copy
10. Records from the office of Disciplinary Authority as on 8/6/2007 showing the grounds for contemplated disciplinary proceedings
11. The last working day ie on duty of shri Kamat in KTCL before the issue of suspension order dated 8/6/2007
12. The first working day ie on duty of Shri Kamat in KTCL after 8/6/2007
13. Last working day ie on duty of shri Kamat after 8/6/2007

OSD  
dy rec

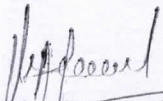
14. Order of revocation of suspension order dated 8/6/2007 which was served to the applicant if any and not the one which speaks of suspension from 8/6/2007 to 20/6/2008 which was not served to the applicant.
15. If the approval of stands revocation was ready on 20/6/2008 but actually issued on 4/12/14 or the process started in 2014 and effect is given from 20/6/2008. Furnish supporting records.
16. Records to show that various disciplinary authorities stated above had recorded the reasons for continuation of suspension with effect from 8/6/2007 and taken the approval from its next higher authority ie Board to continue the suspension without any action. If yes furnish the copy and Boards approval for continuous extension of suspension order
17. Records on which the General Manager holding charge of Personnel Manager arrived at the suspension period and treatment of suspension period as deemed revoked for settlement of applicant before stands revocation order dated 4/12/14 of Mr. Neto.
18. Rules of CCS CCA invoked for :
  - a. Deemed revocation of suspension order dated 8/6/2007 by General Manager
  - b. Stands revoked suspension order dated 8/6/2007 by Disciplinary Authority
19. Records if any to show that the DA had considered the possibility that the purpose could have been served by transferring the applicant to another post rather than placing Shri Kamat on prolonged suspension
20. Give me the service status of Shri Mahesh Kamat in KTCL with effect from 1/6/2007 onwards classified into:
  - a. In service and on duty
  - b. In service and not on duty
21. Give me the official position held by Shri Mahesh Kamat as on 19/9/2008 and the department of his last posting and copy of posting order in that department
22. Give me the status of Shri Kamat on 19/9/2008 as under suspension or on duty. If on duty the copy of order under which the applicant is put on duty after revoking suspension dated 8/6/2007.
23. Give me the order issued to the applicant to hand over the charge as on 19/9/2008 to any other officer of KTCL along with the copy issued to that other officer to take over the charge from Shri Mahesh Kamat
24. Give me the records of charge handed over and taken over from Shri Kamat and that other officer as on 19/9/2008 or any other date.
25. Give me the procedure in KTCL to relinquish from duty the retiring officer.
26. Give the names of all retired officers from 2000 till date, orders issued to them to hand over the charge on retirement and papers of handing over and taking over at retirement.
27. In connection with order KTC/PERS/(C -1684) 2011-12/ 2408 dated 20/10/2011 issued to Shri Shrikant V. Naik provide copies of letters dated 28/2/1981, 7/3/1986, 29/9/2010, 29/9/2010 referred in the said letter
28. Copy of proposal, item no.3, 107<sup>th</sup> Board meeting held on 29/3/2000

  
(Mahesh Kamat)



29. Premature Retirement under FR 56 (J) to Shri Kamat:

1. Constitution of Review Committee
2. Report of review committee
- ~~3. Constitution of Representation committee~~
4. Report of Representation committee on the representation filed against the order of compulsory retirement
5. Record of opinion formed by the Board to dispense with the services of Shri kamat and his continuation in service till superannuation is not necessary
6. If there is any other scheme of premature retirement in KTCL other than the one under FR 56(J) , furnish copy of such other scheme.
7. If there is any rule/ service condition other than FR 56(J) that empowers the appropriate authority in KTCL to compulsorily retire the employee as administrative decision in public interest. If yes provide the copy of rule/ service condition
8. Copy of rules / service condition in KTCL other than FR 56(J) that deal with following principles :
  - a. Public interest
  - b. Natural justice
  - c. Subjective satisfaction
  - d. Absolute powers
  - e. Forming opinion to dispense with services of employee before superannuation retirement
9. Compulsory retirement to Shri Kamat under FR 56 (J) to Shri Kamat
  - a. Note from the office of Mr. Neto , MD
  - b. Note not in a draft form but complete note in conformity with office procedures duly signed, dated, referenced. If no such note is available , provide the copy in which form it is available
  - c. Give the records to show submission of such note to LA from office of Mr. neto, MD
  - d. Give the records to show receipt of such note by LA from office of MD.
10. Records of notes / correspondence submitted by a peon, helper mechanic, loader, fitter or any other lowest grade of employee below the rank of MD & Personnel Manager who had submitted official note / correspondence to its highest authority without signing, referencing, dating, in warding & out warding, blank spaces in the body of letter from any time frame the records of which are available with KTCL. if no note is received and accepted in such a form , state accordingly.

  
(Mahesh Kamat)

From:

Shri Mahesh kamat  
101, Blossom  
Seasons Cooperative Housing Society  
Murida Fatorda Goa.

Date: 22 /07/2016

To,  
The Public information Officer  
Kadamba Transport Corporation Ltd  
Porvorim Goa



OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No 36  
Date 22/7/16  
Sign

Furnish following information under RTI Act.

1. Whether order of compulsory retirement dated 20/6/2008 issued to shri Mahesh Kamat is
  - a. Order of Compulsory Retirement under conduct rules or ✓
  - b. Order of Compulsory Retirement under service rules
  - c. Give the rule invoked under conduct rules If the order is under conduct rules
  - d. Give the rule invoked under service rules if the order is under service rules
2. In case the order of compulsory retirement is under conduct rules, give following information:
  - a. Article of charges for disciplinary proceedings with respect to suspension order dated 8/6/2007 under which the disciplinary proceedings were contemplated
  - b. Order appointing the inquiry authority
  - c. Records of conduct of disciplinary proceedings
  - d. Findings of the enquiry officer in disciplinary proceedings
  - e. Records related to acceptance or rejection of the findings of the enquiry officer in disciplinary proceedings by the Disciplinary Authority.
  - f. Recommendations of the Disciplinary Authority to impose major penalty of compulsory retirement in disciplinary proceedings
  - g. Proposal made to Board to impose major punishment of compulsory retirement pursuant to the outcome of the enquiry in disciplinary proceedings in accordance with resolution 900.
3. Whether the order of compulsory retirement dated 20/6/2008 is:
  - a. An order of punishment/ penalty under conduct rules
  - b. An order of non punishment under service rules
  - c. Both ie only one order serving the purpose of punishment under conduct rules as well as order of non punishment under service rules simultaneously.
4. Date on which the final settlement of the prematurely retired employee was due with reference to order of compulsory retirement dated 20/6/2008
5. Give the records of Shri Kamat to show that during the notice period from 20/6/2008 to 19/9/2008

P.M.

P.M/ACT

P.M

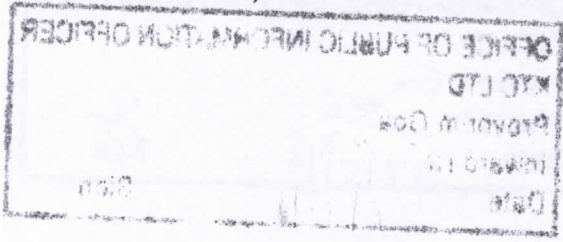
P.M/ACT

P.M

- a. Shri kamat was on duty from 20/6/2008 to 19/9/2008 or
  - b. Shri kamat was under suspension from 20/6/2008 to 19/9/2008
  - c. Both ie on duty as well as under suspension from 20/6/2008 to 19/9/2008.
6. Complete account of house building advance taken by shri Mahesh Kamat from KTCL, interest charged and recoveries from time to time

*Handwritten scribble*

*Signature*



*Handwritten notes:*  
 Sukumar  
 Get details of a/c for  
 for the carbon for (am)  
 office (pudup)  
 24/7

PM  
ALA  
DyFC  
OSD

PIO  
EDP



From:

Shri Mahesh Kamat  
101, Blossom,  
Seasons Cooperative Housing Society  
Murida Fatorda  
Margao Goa



Date: 31/01/2017

To,  
The Public information officer, KTCL  
Paraiso De Goa , Building  
Alto Betim, Porvorim Goa.

OFFICE OF PUBLIC INFORMATION OFFICER	
KTC LTD	
Porvorim Goa	
Inward No.	65
Date	31/1/2017 - Sign

Sir,

Sub: Application under RTI, Act

Kindly furnish following information in connection with my compulsory retirement. Pre decisional Review of my performance, based on **my entire service records** is carried out by screening committee, review committee / appropriate authority (Board of Directors), and post decisional review against my representation by representation committee & by review committee/ Board is already carried out on the basis of those records as mandated by CR Scheme of FR 56(J). The material has been also used by MD, PM for their notes and LA for compilation of agenda for Board meeting, hence information should not be denied nor any evasive reply that information sought is **not available on the records of KTCL** should be given. Wherever information is not available for the reason that it is not the record generated by, KTCL, I should be specifically informed.

1. With reference to item no. 9 of 156<sup>th</sup> Board meeting dated 4/4/2008:

- a. **"While functioning as Dy. Finance controller, Shri Mahesh Kamat was issued three charge sheets on different article of charges"**. This information pertains to me and I know that I was not charge sheeted even once while functioning as the Dy. Finance Controller. I was transferred from the post of Dy. Finance Controller to the Statistical department as a statistical officer vide order 2087 dated 7/11/1996 and first charge sheet was served on me on **3/11/1997**. **Kindly furnish the details of three not communicated charge sheets prior to 7/11/1996** on which date my functioning as Dy. Finance Controller ended in KTCL. Furnish the desired information **prior to 7/11/1996 and not post 7/11/96**. I am not seeking any records of charge sheets **post 7/11/1996**.

PM

2

b. **"During his service tenure he has been suspended 4 times prior to last suspension"**  
My last suspension was on **8/6/2007**. Prior to this I was suspended **twice on 25/10/1997 and 24/2/2001**. Kindly give me the **copies of additional two not communicated suspension orders after 24/2/2001 and before 8/6/2007**.

PM

c. **"He had embezzled postal savings commission of employees which ought to have transferred to the social welfare fund"**

OFFICE OF PUBLIC INFORMATION OFFICER  
PROVINCIAL GOVERNMENT  
SIGN

1. Kindly furnish the copies of relevant material from my service records in support of embezzlement.
2. The information pertain to myself and the district savings officer vide letter dated 3/1/1986 had clarified that no commission can be paid under pay roll saving scheme and that working expenses are payable to the person dealing with the scheme and not to the welfare fund in any department. Hence provide me the **copies of records that support eligibility of commission payable under postal recurring deposit scheme and rules/ guidelines/circulars from National savings organization providing the eligibility of commission and payment of commission to social welfare fund.**
3. Kindly furnish the records of commission credited to the welfare fund of KTCL since 2008 till date. Also provide information of amounts deposited under pay roll saving scheme of postal department since January 2008 till date, the names of officials empowered to administer the scheme and claim working expenses.
4. If any charge is framed against Shri Kamat in any charge sheet as regards the embezzlement, copy may be furnished.
5. If any employee empowered to administer the scheme and claim working expenses after 2008 is charge sheeted for embezzlement and/ or retired prematurely under any service regulation of KTCL.

PM  
ALA  
DyFC

DyFC

PM

PM/DyFC  
ND

d. **"He has changed the service record of Shri Narhari Naik, Accountant without approval of Managing Director"**.

1. The information given in information appeal 292/SCIC/2009, I am informed that the service record referred to is **"Birth Certificate"**. Kindly inform whether Shri Naik furnished the school leaving certificate or birth certificate at the time of joining in KTCL and provide copy of the instrument submitted by Mr. Naik at the time of joining KTCL.
2. There is no material on this subject in the unsigned notes of MD & PM. There is no adverse entry in the ACR or allegation of misconduct in the charge sheet. The contents of birth certificate are confirmed to be correct by the Tahashildar, Karwar that issued the Birth certificate. Produce the records in possession of Shri

PM

ALA

Harmalkar, LA who compiled the agenda proposal for Board decision with above remarks.

e. **"Being the employee (officer) of corporation he has been involved in side business like selling the Maruti car on premium. One of the causes of said business is that he had forgery sold car of Shri V. V. S. Kunkolienkar, Dy. GM (Traffic). This tussle leads to litigation and they went upto Apex Court for the same"** kindly furnish following information from material on my service records/ other records:

PM/ALA

PM/ALA

PM/ALA

1. Records of Maruti Car sold on premium such as number , model, manufacturing year of Maruti car, name of seller, name of buyer, authority registering ownership, date of sale, price/ cost of vehicle, sell price and premium collected and the proof of collection of premium on each sale
2. Record of forgery sold car of Shri V.V.S. kunkolienkar and material leading to conclusion that forgery is the of cause of business of selling cars at premium
3. Records of litigation fought between Shri kamat and Shri Kunkolienkar at **Apex court** on the issue of selling Maruti cars or forging signature. Give me the particular of **case no, year and name parties to the case** so that I can trace the case contents through internet.

PM  
ALA

2. Personal files of shri Kamat transferred from Personnel department to Legal department with detailed contents and page nos vide letter no. KTC/PERS/ (566) 07-08/1694 dated 15/102007. Please furnish whether the records of material mentioned at (a) to (e) above are transferred to legal department and if yes provide their page nos and inspection of records. If such data is compiled from other records file maintained by Sanjay Goel, provide their page nos and inspection of other records file.

ALA

PM  
ALA

3. Records of un communicated adverse entries if any considered by the screening committee, review committee/ Board and representation committee for the purpose of order of compulsory retirement from their respective reports

ALA

PM  
ALA

4. Furnish the copies of reports of screening committee, review committee/ Board and representation committee on CR to Shri Kamat as mandated by FR 56(J)

ALA

5. About the note dated 8/6/2007 initiated by T.K.Pawse , Personnel Manager, kindly furnish :

PM  
ALA

- a. Provide inspection of original note dated 8/6/2007 that contains hand written material by Shri Sanjay Goel and Shri Pawse.
- b. Inform whether office rules / guidelines of official referencing, authentication, and dating, confirming with signature and outward documentation records to any other department were followed in case of note dated 8/6/2007 by Shri Pawse. if yes provide such details.

ALA

ALA

6. About note on compulsory retirement of shri Goel, MD , kindly give following information:

PM  
ALA

ALA  
ALR  
NO

ALA  
ALA

OSD

PM  
ALA

ALA

ALA

ALA

ALA

ALA

ALA

- a. Provide inspection of original undated, unsigned, unreferenced note submitted by Shri Goel, a qualified IAS officer that contains his hand written observations.
  - b. Inform whether office rules / guidelines of official referencing , authentication, dating, confirmation with signature, outwards of this note to any other department followed by Sanjay Goel. If yes provide such details.
  - c. A separate file is maintained by Shri Goel containing various documents in 109 pages. Kindly give me the details of each document reference & subject dealt with and page no starting from 1/C to 109/C, such as 1. Suspension order, KTC /ADMN/ 1-1/ 2007-08/ 24 dated 8/6/2007, page No. 39/C. 2. Note dated 6/6/2007 by Shri T.K. Pawse about compulsory retirement, page nos. 76/C to 74/C etc
  - d. Furnish copies of complete records of other file records file maintained by Sanjay Goel.
  - e. Whether office of MD/ administration dept. followed rules of inward of note dated 8/6/2007 from Personnel dept. and outward of his note undated, unsigned on the subject of Compulsory retirement.
7. Inform whether office rules / guidelines of inward in respect of following department followed by LA in legal dept. If yes provide the copies of records.
- a. Note dated 8/6/2007 by T.K.Pawse from personnel department or from office of MD/ Administration dept. which note is otwarded by LA vide his letter KTC/LA/4/2014-15/174 dated 19/7/2014 to GM and inwarded by GM vide reference no. 383 dated 19/7/14
  - b. Note undated, unsigned by Sanjay Goel on compulsory retirement from office of MD to LA
  - c. Records if any to show that Shri Harmalkar LA had asked for the note dated 8/6/2007 and undated note of MD to be signed by the respective officers of the corporation prior to his acceptance in his department.
  - d. Records if an any to show that Shri Harmalkar, LA had asked the PM and MD to make an official submission of the said notes on compulsory retirement of Shri kamat through outward register maintained by the Personnel department and office of MD/ administration department.
  - e. Whether LA had actually taken the custody of note dated 8/6/2007 of Shri T. K. Pawse and undated note of Shri Sanjay Goel and records of Legal department to establish the entry of above notes in legal department.
8. Furnish records relating to note dated 8/6/2007 by PM and note undated on CR by Shri Sanjay Goel showing :
- 1. The source of receipt of notes by LA for compiling agenda notes
  - 2. The source of note dated 8/6/2007 by sanjay Goel
  - 3. The source of receipt of notes by Screening committee while recommending the CR

- 4. The source of receipt of notes by the Board for approving the CR
- 5. The source of receipt of notes by the representation committee for examining the representation post notice of CR
- 6. The source of receipt of notes by the Board in the Board meeting
- 9. Furnish complete records of the proposal with enclosures if any forming part of item No. 15 in 154<sup>th</sup> Board Meeting held on 11/6/2007 placed before the Board to consider and approve :
  - 1. Dismissal / compulsory retirement as punishment after departmental enquiry **OR**
  - 2. Compulsory retirement as administrative decision under FR 56(J)

ALA

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- 10. Furnish information as below:
  - a. Particulars of screening committee/review committee members constituted by KTCL for purpose of assessing the entire service records of the employees for recommending premature retirement as required by FR 56(J)
  - b. Recommendations made by screening committee/ review committee to the competent authority/ Board for premature retirement of Shri Kamat under FR 56(J)
  - c. Particulars of the representation committee members constituted to make post decisional review on the representations by employees served with notice of retirement under FR 56(J)
  - d. Observations of the representation committee on the representation filed by Shri Kamat after receipt of notice of premature retirement under Fr 56(J)
  - e. Opinion recorded by the appropriate authority ie Board **"that continuation in service of Shri kamat is not in public interest"** after considering the recommendations of the screening committee as required under FR 56(J) as stated in affidavit vide para 2 in writ 492/2007. I am referring to **mandatory opinion** under FR 56(J) and not the **Board resolution**. The opinion follows as action on resolution.
  - f. **Opinion** recorded by the appropriate authority to continue with premature retirement after considering the post decisional recommendations of the representation committee as required under FR 56(J). I am referring to **mandatory opinion** under FR 56(J) and not **board resolution**.
  - g. In case the screening committee/ review committee and representation committee not constituted as required under provisions of FR 56(J), name the advisors to the Board and their advisory notes.
  - h. Name the executive officers of KTCL who advised the MD and BOARD on CR and their advisory note and authority under which the executive officers assumed powers to make such proposal

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11. About Shri Sanjay Goel, IAS

ALA 1. An **IAS officers** note on compulsory retirement of Shri Kamat



- DYFC
- PM  
DYFC
- DYFC
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- PM
- PM
- ALA
2. Amount of Medical bills reimbursed by KTCL in respect of Sanjay Goel for the period prior to his joining in KTCL
  3. Leave encashment by Shri Goel while in KTCL with respect of leave earned prior to his joining in KTCL, whether any reimbursement sought from the Govt and the amounts thereof, what are the account heads to which the amount of leave encashment is debited and amount thereof. Whether the Govt is informed of the leave encashment, if yes provide the copies of correspondence. Whether Govt approval was taken prior to leave encashment, if yes provide copies.
  4. No of trips Mr. Goel made to Delhi, expenditure incurred on travel, Dearness allowance paid. His parental address at New Delhi and purpose of visit to Delhi. Material purchased during his visits, expenditure on such miscellaneous purchases and records to returning such items on handing over charge of MD, KTCL.
  5. Give me inspection of personal file of shri Goel, maintained by KTCL → file of inspection already
  12. Suspension of Shri Kamat vide order dated 8/6/2007
    1. Whether any time after 8/6/2007, suspension order issued to Shri Kamat was reviewed and approved for extension. If yes furnish administrative records of the review and extension orders issued from time to time
    2. Whether suspension order dated 8/6/2007 was modified in its contents to incorporate the period of suspension from 8/6/2007 to 20/6/2008. If yes furnish the records to show when it was modified and when modified instructions were communicated to shri kamat.
    3. Whether any time after 8/6/2007 Shri Kamat was reinstated in services by revoking suspension, If yes give records.
    4. Whether suspension order dated 8/6/2007 is terminated after its issue by revocation, if yes furnish the revocation order and when it was communicated to Shri kamat.
    5. If KTCL had invoked any rule of automatic revocation, if yes give records to show the rule invoked and intimation given to shri kamat to resume duties prior to the issue of order of premature retirement under FR 56(J).
    6. Furnish the records of misconducts for which the suspension was ordered for contemplated disciplinary proceedings and reasons recorded if any for not proceeding with enquiry proceedings.
    7. Furnish records of any subsequent action if at all taken on the suspension order dated 8/6/2007 after its issue.
  13. Furnish copies of material placed on records of court by KTCL in writ 569/2008:
    - a. Communication dated 10/1/2006
    - b. Communication dated 14/6/2007
    - c. Communication dated 23/7/2007, 25/7/2007 & 26/6/2008

- d. Communication dated 22/2/2007
- e. Information furnished/ replies given by KTCL to above communications  
(Above communications are referred in para 11 of High Court order in writ 569/2008)
- f. Whether above referred communications were placed before the screening committee & representation committee for consideration and if yes furnish committee observations on such communications.
- g. Furnish the report of the screening committee and representation committee placed before the board with observations based on entire service records as below:
1. Shri kamat was creating atmosphere with his fellow workers and officers avoided work with him and he diplomatically boycotted the work
  2. That attitude of Shri Kamat was cantankerous and his calculated harassment to other officers & employees due to seeking information under RTI , Act
  3. That employees and officers were required to waste substantial time on giving unwanted and unnecessary information under various RTI applications.
14. Furnish the records of recommendations about compulsory retirement of Shri kamat made by the screening committee and records of placement of such recommendations before the review committee/ Board.
15. Whether the representation against Shri Kamat was placed before the representation committee and if yes the records of recommendation of representation committee and records of placement of such recommendations before the review committee/ Board.
16. Copies of information provided earlier:
- a. With reference to application dated 23/7/2007 from Mr. Mahesh Kamat, reply of Personnel Manager dated 7/8/2007 in respect of note of OSD No. KTC/OSD/RTI/07-08/82 dated 30/07/2007, received by OSD vide inward no. 75 dated 8/8/07.
  - b. Copy of letter PIO , KTC/PIO/166 (13)/ 14-15/38 dated 17/6/2014, with reference to RTI application dated 20/05/2014 ✓
  - c. Letter No/ktc/LA/4-1/2010-11/19 dated 13/4/2010 by V.D. Harmalkar, LA with reference to letter of PIO no. KTC/PIO/166/9-10/153 dated 24/3/10
  - d. Vide note KTC/PIO/166 (11)/ 2016-17/150 dated 23/09/2016, office of PIO have informed that "No note from office of MD, KTCL is available on records of Corporation regarding compulsory retirement to Shri Kamat under FR 56(J)". Kindly provide the compliance document received by office of PIO from the concerned department ie office of MD or any other department on the basis of which the PIO had given me above information. ✓
  - e. Vide KTC/PIO/166/(62)/14-15/181, dated 15/1/2016 with reference to para 15, I am informed "The final settlement of Shri kamat is made as per CCS & CCA Rules made applicable by the Board vide resolution" Kindly provide the compliance document

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PIO →

PM →

received by office of PIO from the concerned department ie Personnel department or any other department on the basis of which the PIO had given me above information.

- f. Vide KTC/PIO/166/(74) / 2015-16 /229 dated 22/2/2016, I am informed vide para 7 that "the final settlement of Shri Mahesh Kamat is made under rule 56(J) of CCS & CCA rules read with resolution 723 and 901 of KTCL Board made applicable to KTCL officers" Please furnish the compliance document received by PIO from the concerned department of KTCL on the basis of which the PIO had furnished such information. Copies of resolutions are not required.
- g. Copy of promotion orders of all officers promoted to next higher post after 20/6/2008 till 30/09/2015
- h. Copy of RTI application filed by Shri Kamat dated 27/7/11 and reply dated 25/8/11 with information received from PM & LA for giving compliance to the application.
- i. Furnish copy of the proceedings recorded on 10/5/2016 by Shri George Fernandes regarding inspection of file maintained by Shri Sanjay Goel MD →

PIO

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PIO

EDP

17. Whether shri Neto, MD had provided 100% legal aid to Shri Kunkolienkar and Shri Harmalkar in case 68/2015 on the basis of decision taken in an assault case vides resolution 20/2000, basic documents of such decision are not available with the corporation. If yes provide the approval note from MD approving the legal aid.

ALA

18. Furnish the record from employee file involved in assault case and action he initiated against the officers, the subject matter of which is dealt with under resolution 20/2000.

PM

19. Vide KTC/PIO/ 166/(94)/ 2016-17/ 23 dated 19/3/2016 , information at sr. no 12, I am informed that Mr. Neto obtained the period of suspension of Shri Mahesh Kamat from records of the personal file of the applicant. Please furnish the record that is relied & referred upon by Mr. Neto & copy of information received by PIO from the respective department on the basis of which the PIO submitted as above.

PM  
PIO

20. Furnish records of leave of all types (sick, casual, privilege) of Shri Harmalkar & Shri Pawse in the month of june 2007 and records of posting of Shri Harmalkar as Personnel officer/ personnel manager or holding as additional charge of personnel officer/ personnel manager during the year 2007.

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21. Kindly inform whether seeking information under RTI is an irregularity or prohibitive under the service regulations of KTCL. If yes provide the copies of such regulations.

ALA  
PM

22. Vide note dated 8/6/2007 of PM and undated note Shri Goel , it is reported that Shri Kamat had sought various information under RTI act , kindly inform by seeking various information , any conditions of service regulations or provisions of RTI act violated by the applicant. If yes provide the copies of relevant regulations / provisions.

ALA

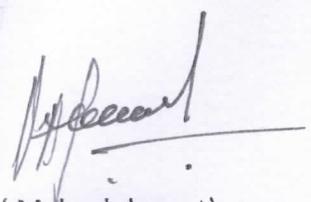
23. Kindly furnish records from the reports of the PM, MD, screening committee, representation committee or non-communicated remarks from ACR that Shri Kamat , as

PM  
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an applicant had sought unnecessary and unwanted information amounting to mischievous action .

24. Records of performance reviews of all officers if any before or after the age of 50 but below 60 years under rule FR 56(J) by the screening committee in the KTCL

~~ALA~~  
PM



( Mahesh kamat)

Sent to All  
FD  
Shah  
1/2  
Sudhakar

From:

Mahesh Kamat  
101, Blossom,  
CD Seasons Cooperative Housing Society,  
Murida, Fatorda Goa, 403602

Date: 28 /06/2017

To,

The PIO, KTCL  
Paraiso De Goa Building  
Alto Porvorim Goa

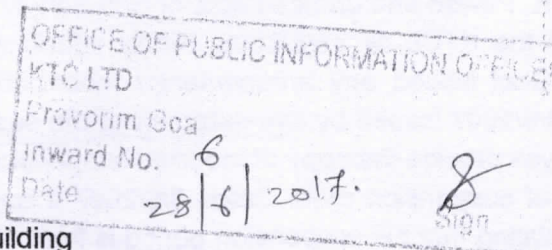
Sir,

Sub: information under RTI

Kindly furnish following information

1. With reference to suspension order **dated 8/6/2007** issued to the applicant by Shri Sanjay Goel whereby placing the applicant under suspension with immediate effect and **which suspension order does not determine the suspension period from 8/6/2007 to 20/6/2008** but automatically revoked by Shri Neto, as per rule 10 (5) (a) as informed vide letter dated 25/5/2017 in response to RTI application dated 31/01/2017 , kindly furnish :
  - a. Order of dismissal as a result of disciplinary proceedings or
  - b. Order of removal as a result of disciplinary proceedings or
  - c. Order of compulsory retirement as **a result of disciplinary proceedings**
2. After issue of suspension order date 8/6/2007 to the applicant without determining the suspension period from 8/6/2007 to 20/6/2008 by shri sanjay Goel, kindly furnish action taken by the MD & Disciplinary authority during each of the specified period as below in the matter of **revocation of suspension** as well as **disciplinary proceedings**:
  1. Shri sanjay Goel from 8/6/2007 to 31/8/2008
  2. Shri S. V . Naik from 31/8/2008 to 30/9/2009
  3. Shri Arvid Loliengar from 30/9/2009 to 12/9/2009
  4. Shri Amarsen Rane from 12/9/2009 to 9/4/2010
  5. Shri Venancio Furtado from 9/4/2010 to 25/06/2012
  6. Shri Derrck Pereira Neto from 25/6/2012 till date

Note: I am not referring to suspension order dated 8/6/2007 on which Mr. Neto is working and according to which the suspension period is determined from 8/6/2007 to 20/6/2008 because suspension order with such contents never came to be served on me. I am referring to suspension order dated 8/6/2007 that is issued by shri Goel

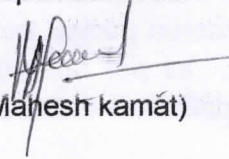


PM

PM

which states that I am placed under suspension with immediate effect as disciplinary proceedings are contemplated against him.

3. PM Furnish me the copy of the suspension order if any on records of KTCL, dated 8/6/2007 issued to this applicant by Shri Goel, which order determines the suspension period from 8/6/2007 to 20/6/2008 and ~~which suspension order is ordered stands revoked by Shri Neto vide order dated 4/12/2014~~
4. PM Provide me the inspection of original and not draft notes on my compulsory retirement dated 6/6/2007 of Shri T. K. Pawse and undated note of Shri Sanjay Goel
5. PM Shri Sanjay Goel was in the KTCL till 31/8/2008. Kindly inform whether any time till 31/8/2008, Shri Sanjay Goel issued any amendment / modification/ changes to the suspension order dated 8/6/2007 issued by him determining the suspension period from 8/6/2007 to 20/6/2008. If yes provide the copy of modified suspension order.
6. PM Kindly provide the copy of suspension order dated 8/6/2007 if any held by shri Neto, issued to shri kamat stipulating that his suspension period is from 8/6/2007 to 20/6/2008 as referred to by Shri Neto vide his order dated 4/12/2014
7. PM Provide me the copy of rule/ provision under CCS CCA that deal with stands revocation of suspension order invoked by shri Neto.
8. PM Kindly provide record of the rule stands revoked invoked by Shri Neto under order dated 4/12/2014, if such a rule of stands revocation is not provided under CCS CCA Rules
9. PM Furnish the name of Managing Director mentioned in para 2 above who placed me under suspension for a specific period from 8/6/2007 to 20/6/2008 and copy of suspension order.

  
( Manesh kamāt)

OFFICE OF PUBLIC INFORMATION OFFICER,  
KTC LTD  
Provorum Goa  
Inward No. 21  
Date 06/09/2017. Sign

From.

Mr. Mahesh Kamat  
"Blossom" 101,  
CD Seasons Cooperative Housing Society  
Murida Fatorda

Date: 06/09/2017

To,  
The PIO  
Kadamba transport corporation Ltd  
Paraiso De goa Building  
Porvorim Goa

Sir,

Furnish following information under RTI, ACT 2005

1. Vide letter 5/90/2008- VIG/1858 dated 18/06/2015, Director Vigilance had required MD, KTCL to initiate disciplinary proceedings against Shri yeshwant Gawde, AFC and shri Shrikant Naik, then GM, pursuant to the decision taken by the Govt in that regard. Please furnish the records of proceedings and action taken by Mr. Neto, MD as per the decision of the Govt. Also provide me the inspection of all related records such as article of charges, appointment of inquiry officer, records of proceedings, inquiry report and action taken on the enquiry findings. In case no action is taken, I may kindly be informed. If the matter is closed without investigation, relevant records should be furnished.

2. Provide inspection of all records relevant to NOC/ sanction given to Mr. Naik as regards the revised date of his appointment in KTCL to enable him to claim the pension from Govt. such a application by Mr. Naik, administrative processing by KTC, Board meeting record, communication addressed from KTCL to Govt. along with records of absorption of Mr. Naik



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Vagender

ALA  
POM

Shrikant Naik

OFFICE OF PUBLIC INFORMATION OFFICER  
K. J. LTD  
Government of Karnataka  
Bangalore  
Date

into KTCL as Works Manager and correspondence received in KTCL from Govt.

PM ✓ 3. Records of action if any initiated by Mr. Neto, MD against Shri Harmalkar, LA with respect to the representation filed by Shri Kamat dated 22/5/17

ALA ✓ PM 4. Vide note no. KTC/Pers/ (566)/07-08/1694 dated 15/10/2007 personnel files pertaining to Shri Mahesh P. Kamat, Dy. FC forwarded to legal department. The file no. is 566 with three volumes with page nos 1/c to 32/c, 333/C to 760, 761 to 850 with note sheets to volume III bearing nos. 1/N to N/65. In addition one correspondence files 1/N to N/12. Furnish information whether all page nos. are intact as on date. If not inform the page nos / records which existed in the past but are not available now.

ALA 5. Vide letter dated 27/2/2017 with reference to letter dated 31/01/2017, at para 10 (e) it is informed that "Opinion recorded by the appropriate authority is not available". It may be informed that whether the Board had recorded such opinion under FR 56(J) in the past and is not available now or Board had never recorded any opinion under FR 56(J) to retire Shri Kamat in public interest in the past, hence such opinion is non existence and hence not available. In the former case give me the record of the efforts made by PIO to trace the lost record of opinion. In the later case mere submission will be enough to the effect that Board never formed on records such opinion.

PM ✓ 6. The duration in which Shri Kunkolienkar was holding the charge of Personnel Manager in KTCL

ALA ✓ 7. The certified copy of affidavit filed by Shri Goel in writ petition 492/2007

PIO ✓ Sushakar 8. Provide clear copy of noting at N/30 (no. not very clear) & N/ 31 of August 2014 concerning the remarks on final settlement of Shri kamat by the finance department.

PM ✓ DyFC 9. Kindly inform whether note dated 8/6/2007 informed as put up by Shri Pawse, was made available to finance dept as demanded by them before effecting the final settlement of Shri Kamat. If yes provide the records of receipt of note in the finance dept and records of delivery from the delivering dept. if the records were available in the past but not available



now, PIO should trace and furnish the records. If records were not existed in the past, PIO may reject the information sought.

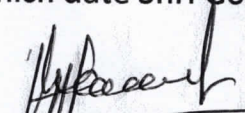
ALA / 10. Provide the copy of representation against the order of CR dated 19/7/2007 and action taken report representation committee, records of placement of recommendation committee report before the Board and action taken report of the Board.

- ALA / 11. In the item no. 9/2008 of 156<sup>th</sup> meeting following records are mentioned
- Three charge sheets issued when functioning as Deputy finance controller
  - Four suspensions prior to last suspension dated 8/6/2007
  - Postal commission embezzlement
  - Alterations in birth certificate of Shri Narhari Naik
  - Records of selling cars at premium
  - Records of forgely sold car of Shri kunkolienkar
  - Record of litigation between Shri Kamat and Shri Kunkolienkar

These records are informed not available on the records of Shri Kamat , maintained by KTCL. Kindly inform whether such records were existed any time in the past, though not available now. If yes they should be traced and furnished. If such records never existed in the past and hence cannot be furnished in the present, request for information may be rejected for non existence of records.

PM / 12. Vide order dated 4/12/2014, Mr. Neto had informed, the suspension order suspending Shri Mahesh P. Kamat from 8/6/2007 to 20/6/2008 stands revoked. Furnish instrument dated 20/6/2008 that revoked the suspension dated 8/6/2007 or imposed penalty of compulsory retirement under rule 11 of CCS CCA.

PM / 13. Furnish the list of records with page nos which were added to the file maintained by Goel and used for CR of Shri Kamat after 31/8/2008 on which date Shri Goel departed from KTCL. →

  
(Mahesh Kamat)

11

3 copies



From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 17/10/2017

To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 28  
Date 17/10/2017  
Sign

Sub: information under RTI,

1. Provide the inspection of following records from personal files of Shri Mahesh Kamat

- a. File no. 566, page nos. 1/C to 32/C, 33/C to 760 & 761 to 850
- b. Note sheet page nos. 1/N to N/65

I am not interested to verify the contents of the said files. I am only interested to confirm the running page nos. and their existence on file records at the point of inspection. If it is informed that all pages with their respective serial nos are intact in respective files, I will not insist for inspection.

2. Provide inspection of records of finance department which show the receipt of note dated 6/6/2007 put up by Shri Pawse in connection with the compulsory retirement of Shri Kamat

3. Provide inspection of records of personnel department and legal department which show that they have provided the copy of note dated 6/6/2007 put up by Shri Pawse in connection with the compulsory retirement of Shri Kamat to finance department

No Receipt

This document is not to be used for any other purpose

Files are intact

17/10/2017

Records available

4. Provide certified copy of RTI application dated 27/7/11 filed by this applicant and compliance vice letter KTC/PIO/ 166(406) 11-12/232 dated 25/8/2011.
5. Provide inspection of all records dealing with revocation of suspension order dated 8/6/2007 from initial note sheet till order of stand revocation dated 4/12/2014
6. Provide the inspection of suspension order dated 8/6/2007 issued by Goel and held by Shri Neto during various periods from his joining till the date of inspection.
7. Provide inspection of records of submission of note dated 6/6/2007 by Personnel department to legal department
8. Provide inspection of records of receipt of note dated 6/6/2007 by legal department to from personnel department
9. Provide information about the date of joining and retirement of Shri V. V.S. Kunkolienkar in KTCL and different capacities he worked during times including the additional charge of Personnel Manager
10. Provide inspection of files dealing with compulsory retirement of Shri Kamat from 154<sup>th</sup> meeting till 157<sup>th</sup> meeting
11. Provide inspection of documents/ material furnished to Adv, Usgaokar for drafting the affidavit on behalf of KTCL in writ petition filed by Shri Kamat
12. Provide inspection of all records related to board meeting for the latest 2 board meetings
13. Provide inspection of all replies received from Neto or any other custodian of records as regards the non- availability of records of stands revoked suspension held by PIO on the basis of which the PIO had submitted a compliance that the records of stands revoked suspension are not available with corporation
14. Provide inspection of record that determines the following opinion arrived at the review committee recommendations and the opinion formed by the Board for the purpose of compulsory retirement under Fr56J
  1. His (ShriKamat ) mind set based on communication dated 10/01/2006
  2. He (Shri Kamat) involved in unwanted and unnecessary activity vide communication dated 14/4/2007

Public

3. His (Shri Kamat) activities were unwanted vide communication dated 23/7/2007, 25/7/2007, 26/6/2008

4. His (Shri Kamat) attitude towards his work and responsibility was not proper vide communication dated 22/2/2007

**Note: above observations are taken from the submissions of Shri Usgaokar, Advocate in writ petition 569/2008 before Hon. High Court.**

5. If above opinion was not formed by the Board or the review committee on records, kindly furnish the records if any existed on KTCL records which show that any officer / representative of the KTCL who parted with the conclusions based on communication of Shri Kamat, referred to above to Adv. Usgaokar. Alternatively it may be informed whether such conclusions were arrived at by Mr. Usgaokar for defending the KTCL. if it is confirmed that the opinion as above is the legal point of advocate in legal defense, I shall not persist for the inspection / records.

15. Whether any action taken by Shri Neto to recover Rs. 7294/- being illegal reimbursement of medical expenses taken by Shri Goel from KTCL. If yes, kindly furnish the records.

16. Wherever the inspection is sought, if I am informed that records sought were never existed in KTCL, I shall not insist for the inspection.

17. Provide copy of letter dated 25/9/2014 regarding suspension order filed before MD & Disciplinary Authority and acknowledged on 25/9/2014

18. Provide inspection of personal files of Shri Pawse, Shri Harmalkar & Shri Kunkolienkar to know whether Mr. Neto had taken any action against the representation filed by this applicant in the matters related to CRS and final settlement.

19. Furnish dates on which Mr. Neto started revocation process against suspension order dated 8/6/2007

20. Furnish copy of CRS order dated 19/7/2007 issued to the applicant and corresponding stand revocation order against that order in terms of rule 10 (5) of CCS CCA

21. Provide copy of letter dated 25/9/14 filed by the applicant before MD, KTCL, on the subject of suspension order

22. Furnish the record of order of dismissal, removal, compulsory retirement invoked under rule 10 (5) (a) with respect to suspension order dated 8/6/2007 by Mr. Neto

23. Furnish the inspection of records of charge sheet, disciplinary proceedings, enquiry officers findings and order of dismissal, removal, compulsory retirement passed by Mr. Neto with reference to suspension order dated 8/6/2007

PM  
ALA  
24. Furnish the records of action taken by Shri Neto to recover irregular reimbursement of medical bills to Mr. Goel and action taken with the Ministry of human affairs/ ministry of personnel and training, New Delhi

25. Furnish the records of action taken by Mr. Neto to locate the Board file and file of individual with reference to which he has sanctioned free legal aid to Shri Kunkolienkar and shri Harmalkar in civil suit filed by shri kamat

  
(Mahesh kamat)

3 22



From:  
Mahesh Kamat  
Shivnery Cooperative Housing Society  
Comba Margao Goa

Date: 18/12/15

To,  
The PIO  
Kadamba Transport Corporation Ltd  
Paraiso De Goa  
Alto Porvorim

OFFICE OF PUBLIC INFORMATION OFFICE  
KTCL LTD  
File No. 82  
Inward No.  
Date 18/12/2015

*Handwritten signature*

Kindly furnish following information under RTI act, 2005

1. All records relating to the resolution no. 84/11 as regards the absorption order to Shri S. V. Naik ex General Manager such as records of order of appointment of Shri S. V. Naik in KTCL as works Manager, proceedings of DPC/ DSC, representations filed by him for relaxation under rule 88 of CCS Pension rules 1972, departmental noting from Personnel Department, opinions of acceptance / refusal by the MD, opinions of Legal department of KTCL, order of relaxation in absorption, pay fixation at the time of appointment / absorption as works Manager, Govt order 65/5/ 2002/PCE-PWD- ADMN (ii) 84 dated 27/05/2010 and all records related to the issue of relaxation under rule 88 of CCS pension rules 1972 since the date of appointment till the date of order of relaxation in absorption as action under resolution 84/11. Also provide inspection of complete records. (not in file)
2. Note dated 4<sup>th</sup> june 2007 by Shri T. K. Pawse on the subject of implementation of compulsory retirement scheme to the officers of the corporation with complete records of outward of this document from personnel department to legal/ office of MD and records of inward of said note by ADMN & Legal department. Copy of said note from office of Personnel department and legal department (both). If personnel department had not initiated this note, kindly be informed accordingly.

P.O./ALCA

P.O./ALCA

3. Court judgment dated 16/12/2008 in private case 71/p/98, Shri Mahesh Kamat versus Vallbhdas Kunkolienkar bearing court outward no. 204 dated 9/1/ 2009 issued to Shri Kunkolienkar by the civil court is on the records of KTCL. Furnish documents of receipt of said judgment copy by MD/ LA from Shri Kunkolienkar or receipt by LA from MD or from court or any other source into KTCL. Also furnish the source of receipt by KTCL of booking docket exhibited by Shri Kunkolienkar in the said private case which is also on the records of KTCL, copy of which is furnished under RTI by PIO.

4. Complete records of periods from the year 2007 where office of Personnel Manager/ Personel officer held by Shri T. k. Pawse and Shri V. D. Harmalkar independently and periods when part records held by Mr. Pawse and Mr. Harmalkar as regards the personnel records of Shri M. P. Kamat with duties / responsibilities as regards the final settlement after his compulsory retirement fixed on respective officers .

5. Leave records of Shri T. K. Pawse and Shri V. D. Harmalkar covering the period June 2007 till Dec 2008

6. Names of officers ceased to be employees of the corporation by reason of dismissal, superannuation, expiry, premature retirement along with dates of dismissal, superannuation, expiry , premature retirement along with date of submission of proposal of final settlement by Personnel department to the finance department and date of actual payment of final settlement by finance department from the year 2000 till date.

7. Whether the personnel department initiated final settlement process of Shri Kamat and sought approval from MD/ ALA/LA any time after Sept 2008 but before May 2014 and remarks of MD/ ALA/ LA to settle or withhold the final settlement.

8. ALA vide note dated 19/7/2014 provided copy of unsigned note dated 6/6/2007 with clarification that said note is forming part of CRS proposal filed with affidavit in writ petition to the GM with request to do the needful in this regard, GM remarked " PO to keep these documents in safe custody". Furnish records to show the action taken on the said note or use of said note by the GM holding charge of Personnel Manager while proposing the final settlement of Mr. Kamat.

PO/ALA

P.O

PO

PO/PA/PC

PO

PO

9. Furnish copy of letter filed by Shri Kashinath Shetye before the GM/PM holding charge as regards disowning note dated 6/6/2007 by T. K. Pawse with request to withhold his final settlement and action taken on the said note by GM/ PM in charge. If no action is taken, inform accordingly.

10. Names of Directors who supported the Compulsory retirement of Shri Kamat under resolution 71/2007 & 43/2008 along with the residential addresses where the notice of Board meeting and agenda copy was delivered and names of Directors <sup>with addresses</sup> since the 7/5/2014 till date

11. Names & designations of officers in KTCL retired from the services of under FR 56 (a) as superannuation retirement and under FR 56 (j) as premature retirement with particulars of officers who retired while on duty and while under suspension since 1990.

12. Constitution of screening committee if any in KTCL with details of constituent members to review the service records of employee for the purpose of compulsory retirement under FR 56(j).

13. Whether following records held/ relied upon by KTCL for arriving at opinion of compulsory retirement of Shri Mahesh Kamat are service records of Shri Mahesh kamat in KTCL and if yes under what provisions/ rules applicable to KTCL:

a. Judgement in private case 71/P/98 between shri Kamat & shri Vallabhdas V. S. Kunkolienkar

b. Booking docket exhibited as PW1/ D-7 in the above cited private case

c. Civil dispute at apex level between Shri Vallabhdas Kunkolienkar and Smt. Hirabai Kamat

14. Order of appointment / promotion of V.v. S. Kunkolienkar as Dy. GM and GM, Shri George Fernandes as Manager EDP and Shri S, V, Naik as Managing Director and copy of affidavit filed by him in writ 569/2008.

15. Whether the final settlement of Shri Kamat as proposed by GM/PM is as per rule 56 (a) ie superannuation, as 56 (j) ie premature retirement in public interest or as ccs CCA ie dismissal/ removal/ penalty

16. The note date 6/6/2007 is acknowledged by the PM that is not the CRS proposal from personnel dept and not the note initiated by PM and there are no records of outward of said note from Personnel dept to any other

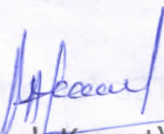


PO/ALA

department. The said note is provided as official record of KTCL by ALA vide note dated 19/7/2014 which note is received and put into safe custody by GM. Kindly inform whether said note is accepted by the GM/PM as the note of personnel department and relied upon while proposing final settlement of Shri Kamat. If not whether GM/PM reported non acceptance to the higher authorities in KTCL and noting thereof.

PO/Dy PE  
MA

17. The final settlement of shri Kamat is approved by Dy. FC and MD as proposed by GM. Kindly inform whether the data about leave, recovery and gratuity furnished by GM/PM is only a record available in the personnel department to be dealt with by the DY. FC as per rule FR 56 (j) and note dated 6/6/2007 or instructions to DY. FC to restrict the final settlement of Shri Kamat to the records of leave, gratuity and recovery proposed by him without considering the provisions of FR 56 (j) and note dated 6/6/2007.

  
( Mahesh Kamat )

Copy

19/7/14

20

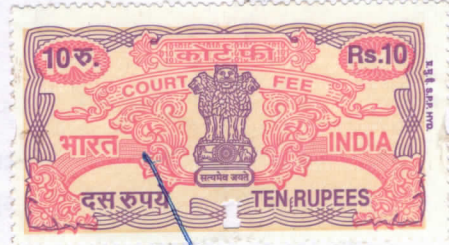
21

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 29/04/2016

To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa



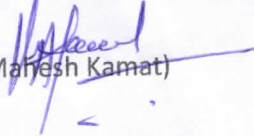
OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 11  
Date 30/04/2016  
Sign

Sub: information under RTI, sub. suspension order dated 8/6/2007 issued to Shri Mahesh Kamat  
Furnish following information:

1. Names of Managing Directors from 8/6/2007 till date
2. Duration of each Managing Director from 8/6/2007
3. Action taken by each MD on the suspension order dated 8/6/2007 as below:
  - a. whether reviewed for extension,
  - b. whether modified for stopping payment of subsistence allowance
  - c. whether revoked for inability to initiate enquiry proceedings or any other reason
  - d. whether any reasons recorded for continuation of suspension without further action
4. Whether suspension order dated 8/6/2007 specify the suspension period from 8/6/2007 to 20/6/2008, if yes give me the copy
- ① 5. The copy of records on the basis of which MR. Neto, Disciplinary Authority incorporated the suspension period from 8/6/2007 to 20/6/2008 in his stands revocation order dated 4/12/14
6. Furnish copy of suspension order if any served on Shri kamat that show the suspension period from 8/6/2007 to 20/6/2008.
7. Whether any other department of KTCL is provided with copy of suspension order dated 8/6/2007 which specifies the suspension period from 8/6/2007 to 20/6/2008. If yes, provide copy from that department.
8. Records to show when Mr. Neto , Disciplinary Authority initiated the process of stands revocation from his department or through the Personnel department
9. Whether any MD delegated authority to shri Kunkolinkar, GM holding charge of Personnel Manager to deal with above suspension order, if yes furnish copy
10. Records from the office of Disciplinary Authority as on 8/6/2007 showing the grounds for contemplated disciplinary proceedings
11. The last working day ie on duty of shri Kamat in KTCL before the issue of suspension order dated 8/6/2007
12. The first working day ie on duty of Shri Kamat in KTCL after 8/6/2007
13. Last working day ie on duty of shri Kamat after 8/6/2007

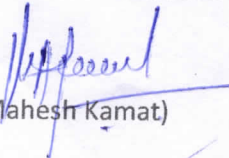
OSD  
OSD /  
DY KC

14. Order of revocation of suspension order dated 8/6/2007 which was served to the applicant if any and not the one which speaks of suspension from 8/6/2007 to 20/6/2008 which was not served to the applicant.
15. If the approval of stands revocation was ready on 20/6/2008 but actually issued on 4/12/14 or the process started in 2014 and effect is given from 20/6/2008. Furnish supporting records.
16. Records to show that various disciplinary authorities stated above had recorded the reasons for continuation of suspension with effect from 8/6/2007 and taken the approval from its next higher authority ie Board to continue the suspension without any action. If yes furnish the copy and Boards approval for continuous extension of suspension order
17. Records on which the General Manager holding charge of Personnel Manager arrived at the suspension period and treatment of suspension period as deemed revoked for settlement of applicant before stands revocation order dated 4/12/14 of Mr. Neto.
18. Rules of CCS CCA invoked for :
  - a. Deemed revocation of suspension order dated 8/6/2007 by General Manager
  - b. Stands revoked suspension order dated 8/6/2007 by Disciplinary Authority
19. Records if any to show that the DA had considered the possibility that the purpose could have been served by transferring the applicant to another post rather than placing Shri Kamat on prolonged suspension
20. Give me the service status of Shri Mahesh Kamat in KTCL with effect from 1/6/2007 onwards classified into:
  - a. In service and on duty
  - b. In service and not on duty
21. Give me the official position held by Shri Mahesh Kamat as on 19/9/2008 and the department of his last posting and copy of posting order in that department
22. Give me the status of Shri Kamat on 19/9/2008 as under suspension or on duty. If on duty the copy of order under which the applicant is put on duty after revoking suspension dated 8/6/2007.
23. Give me the order issued to the applicant to hand over the charge as on 19/9/2008 to any other officer of KTCL along with the copy issued to that other officer to take over the charge from Shri Mahesh Kamat
24. Give me the records of charge handed over and taken over from Shri Kamat and that other officer as on 19/9/2008 or any other date.
25. Give me the procedure in KTCL to relinquish from duty the retiring officer.
26. Give the names of all retired officers from 2000 till date, orders issued to them to hand over the charge on retirement and papers of handing over and taking over at retirement.
27. In connection with order KTC/PERS/(C -1684) 2011-12/ 2408 dated 20/10/2011 issued to Shri Shrikant V. Naik provide copies of letters dated 28/2/1981, 7/3/1986, 29/9/2010, 29/9/2010 referred in the said letter
28. Copy of proposal, item no.3, 107<sup>th</sup> Board meeting held on 29/3/2000

  
(Mahesh Kamat)

29. Premature Retirement under FR 56 (J) to Shri Kamat:

1. Constitution of Review Committee
2. Report of review committee
3. Constitution of Representation committee
4. Report of Representation committee on the representation filed against the order of compulsory retirement
5. Record of opinion formed by the Board to dispense with the services of Shri kamat and his continuation in service till superannuation is not necessary
6. If there is any other scheme of premature retirement in KTCL other than the one under FR 56(J), furnish copy of such other scheme.
7. If there is any rule/ service condition other than FR 56(J) that empowers the appropriate authority in KTCL to compulsorily retire the employee as administrative decision in public interest. If yes provide the copy of rule/ service condition
8. Copy of rules / service condition in KTCL other than FR 56(J) that deal with following principles:
  - a. Public interest
  - b. Natural justice
  - c. Subjective satisfaction
  - d. Absolute powers
  - e. Forming opinion to dispense with services of employee before superannuation retirement
9. Compulsory retirement to Shri Kamat under FR 56 (J) to Shri Kamat
  - a. Note from the office of Mr. Neto, MD
  - b. Note not in a draft form but complete note in conformity with office procedures duly signed, dated, referenced. If no such note is available, provide the copy in which form it is available
  - c. Give the records to show submission of such note to LA from office of Mr. neto, MD
  - d. Give the records to show receipt of such note by LA from office of MD.
10. Records of notes / correspondence submitted by a peon, helper mechanic, loader, fitter or any other lowest grade of employee below the rank of MD & Personnel Manager who had submitted official note / correspondence to its highest authority without signing, referencing, dating, in warding & out warding, blank spaces in the body of letter from any time frame the records of which are available with KTCL. if no note is received and accepted in such a form, state accordingly.

  
(Mahesh Kamat)

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 17 /05 /2018

To

The PIO

Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

1. Under RTI, you have provided me the record of order No. KTC/ PERS/ (566)/2014-15/2561 dated 4/12/2014 as per which suspension order NO/ KTC/ADMN/ 1-1/ 2007-08/24 dated 8/6/2007 as per which the suspension period is determined from 8/6/2007 to 20/6/2008 and said suspension is ordered stands revoked under Rule 10 (5) (a) of CCS CCA as merger into penalty in disciplinary proceedings. In view of this record of KTCL, please furnish following information:
  - a. Whether the said suspension order dated 8/6/2007 defined the suspension period from 8/6/2007 to 20/06/2008 at source , if yes provide the copy of record, if not give the correct factual position
  - b. Whether disciplinary proceedings were held against the said suspension order, if yes furnish complete records of enquiry proceedings from the disclosure of article of charges to conduct of proceedings and imposition of major penalty. If not , give the correct factual position
  - c. As per the records you have furnished earlier, the LDC/UDC/PO/LW II /GM had made submissions that there are no records of revocation of



OFFICE OF PUBLIC INFORMATION OFFICER	
KTC LTD	
Porvorim Goa	
Inward No.	14
Date	22/5/18
Sign	

Snehalax

22/5

suspension and disciplinary proceedings. The applicant being the subject of suspension for contemplated disciplinary proceedings confirms these submissions of LDC/UDC/PO/LW II /GM. Mr. Neto, MD and Disciplinary Authority is the only official who joined KTCL in June 2012, has incorporated the suspension period in the suspension order dated 8/6/2007 as from 8/6/2007 to 20/06/2008, and cited an order of penalty dated 20/6/2008 to merge the suspension into penalty in the Month of Dec. 2014 as per the information furnished by you. Hence please furnish the record held by Mr. Neto defining the suspension period from 8/6/2007 to 20/06/2008 and the order of penalty dated 20/06/2008, and if he is reluctant to furnish the information he should be declared as the deemed PIO under the Act. The information on same subject coming from different officials of KTCL being contrary in nature, correct and factual position should be informed.

2. I am compulsorily retired under FR 56(J), premature compulsory retirement scheme. At every level the record furnished confirms the rule FR 56(J). The highest courts of the land had confirmed the rule. The highest executives of KTCL through the affidavits had confirmed that:
  - a. The Board formed the opinion to compulsorily retire the applicant under FR 56(J)
  - b. The entire service records in 3 volumes were placed before the Board
  - c. The note prepared by Shri T.K. Pawse and Shri Sanjay Goel were placed before the Board
  - d. The proposal was placed before the Board to decide to dismiss/ retire the applicant as punishment after departmental enquiry or retire under FR 56, the Board unanimously decided to retire under Fr 56.
  - e. The order under FR 56 was not arbitrary, mal fide, contrary, illegal or unconstitutional and that all conditions essential for exercise of powers under FR 56 are satisfied

In view of above decision of Board through resolutions, the actions taken after resolutions but before the issuance of order of compulsory

retirement as below be furnished. If no action is taken, the factual position be stated:

1. Resolution constituting the review committee
  2. The constituent members of review committee
  3. Records placed before the review committee for performance review
  4. Records of review report by the review committee
  5. Records of consideration of review report of review committee by the Board
  6. The opinion formed by the Board to dispense with the further services in public interest
  7. Resolution constituting the representation committee
  8. The constituent members of representation committee
  9. Records of review report by the representation committee
  10. Records of consideration of review report of representation committee by the Board
  11. Opinion formed by the Board on the report of the representation committee
3. Following records from the finance department relied upon by them for verification before final settlement:
1. Order of revocation of suspension dated 8/6/2007 defining the suspension period and treatment of suspension period
  2. Order of dismissal / retirement after disciplinary proceedings
  3. Notes dated 6/6/2007 on CRS forming part of the affidavit filed before the court as informed by the LA
4. Following records were placed before the Board as part of item 9 of 156<sup>th</sup> Board meeting dated 4/4/2008, which should be furnished or else the factual position be confirmed:
- a. Four suspensions prior to suspension dated 8/6/2007
  - b. Embezzlement of postal commission
  - c. Alteration of birth certificate
  - d. Involvement in side business
  - e. Litigation at the apex court with shri kunkolienkar



9

From:

Shri Mahesh Kamat  
Shivnery cooperative Housing Society  
Comba Margao Goa



Date: 27/10/2014

To,  
The Public Information officer  
Kadamba Transport Corporation Ltd.  
Paraiso De Goa, Porvorim,  
Bardez Goa

OFFICE OF PUBLIC INFORMATION OFFICER	
KTC LTD	
Porvorim Goa	58
Inward No.	
Date	27/10/14
	Sign

Regd: Information under RTI, Act 2005

I seek following information under RTI, Act 2005, regarding compulsory retirement and final settlement dues of Shri Mahesh Kamat

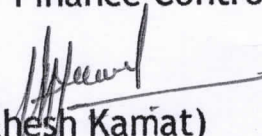
1. Office memo KTC/ADMN/ 1-2/2008-09/ dated 28/1/2009
2. Order of High court dated 27/1/2009 and noting as per which the payment of interim relief is stopped
3. Status of suspension order KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 whether revoked and records thereof, in case of deemed revocation relevant provision of CCS & CCA rules & /or Fr 56 (j)
4. Details of subsistence allowance paid pursuant to suspension order dated 8/6/2007 and records under which the payment of subsistence allowance is stopped.
5. Details of pay and allowances in lieu of notice period under CRS
6. Details of notice period under CRS and paid pay and allowances during the notice period
7. Leave records both earned leave and sick leave since 2000
8. Papers related to pay fixation on implementation of VI pay scales
9. Orders releasing increment for the year 2007 & 2008
10. Records of joining date of Shri Kamat in KTCL
11. Note sheet with remarks of the officials of finance dept regarding the final settlement on CRS
12. Copy of note dated 6/6/2007 from the records of personal dept on CRS proposal initiated by Shri T. K. Pawse, Personal Manager, and records of submission of such proposal by personnel dept to any other dept of KTCL in the year 2007

ALA

Issue  
to 1004 PE  
add personal  
27/10  
Shubhakar



13. Copy of forwarding letter from the legal dept to personnel dept returning files containing the note dated 6/6/2007 , if note is returned separately the copy of forwarding letter and copy of forwarding letter containing note dated 6/6/2007 from legal to finance dept and from personnel to finance dept
14. Inspection of files related to all issues of CRS from personnel, finance and legal dept
15. Inspection of all files with records held by KTCL in private case no. 71/P/98
16. Records of Provident fund deducted and deposited on the latest instalment of 6<sup>th</sup> pay arrears and in case no recovery is made the note sheet thereof
17. Copy of letter no. KTC/PERS/6/(566)/2014 -15/1021 dated 30/06/2014 regarding final settlement , Record of joining date as 14/06/1983 of Shri Kamat, order of deemed revocation passed by the disciplinary authority or supporting note sheet on the basis of which the GM has informed the deemed revocation to the Dy. Finance Controller

  
(Mahesh Kamat)

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 27 /11/2017

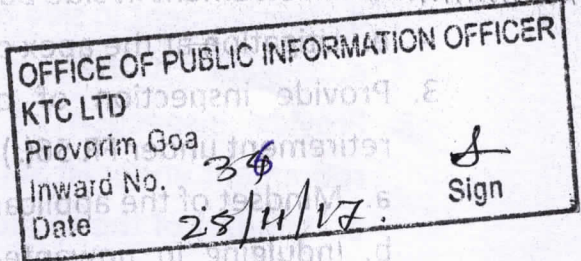
To

The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

1. Kindly provide **records and inspection** with reference to the order of premature retirement under FR 56(J) with respect to the applicant as below:
  - a. The constitution of screening committee/ review committee which assessed the service records of the applicant
  - b. The assessment report/ recommendations of the screening/ review committee on the service record of the applicant
  - c. The records of consideration of the review report/ recommendations of the review/ screening committee by the Board
  - d. The opinion recorded by the Board on the recommendations of the screening / review committee that it is in public interest to dispense with the further services of the applicant
2. Provide inspection of following records / material that has been disclosed to have been considered for the purpose of compulsory retirement under rule Fr 56(J).
  - a. four suspensions prior to suspension dated 8/6/2007
  - b. embezzlement of postal commission



- c. alteration of birth certificate
- d. involvement in side business

e. Litigation at the apex court with shri kunkolienkar

3. Provide inspection of opinion recorded in the matter of premature retirement under FR 56(J) as follow:

- a. Mindset of the applicant with reference to letter dated 10/01/2006
- b. Indulging in unwanted and unnecessary activities with reference to letter dated 14/6/2007, 23/7/2007, 25/7/2007, 26/6/2008
- c. Improper attitude towards work and responsibilities with reference to letter no. 22/2/2007

NOTE: That the impugned order of CR under FR 56(J) has been upheld by the Hon. High Courts and Hon. Supreme Court as bona fide accepting fulfillment of all preconditions which are the subject matter of information and inspection at para 1, 2 & 3 above. The affidavit evidence is led before the courts that the requisite opinion is formed by the Board and it is categorically stated that the order passed by KTCL is not mala fide, not illegal, and not unconstitutional. Hence the information should not be denied as not available which has been the practice adopted under previous applications. Hence this clarification is issued so that you will not skip the information and inspection with a mindset of quick reply as "not available with corporation". **It has been disclosed vide letter KTC/ PIO/ 166/ (74) /2015/16/229 dated 22/2/16 vide sr. 14 that all records as above have been received by Shri Harmalkar along with the proposal for placing before the Board.**

4. The suspension order issued to the applicant is deemed revoked by Shri Kunkolienkar vide letter dated 30/06/14. Provide the copy of the rule and inspection of relevant rule from the rule book. I cannot trace any rule of deemed revocation in the rule book.

5. It has been informed to the applicant that the final settlement is made under rule 56(J) of CCS CCA vide letter KTC/ PIO/ 166/ (74) /2015/16/229 dated 22/2/16 vide sr. 7 . Provide the copy of the rule which is already applied and provide inspection. I cannot trace any rule in the rule book.

6. It is informed to me under KTC/ PIO/ 166/ (36) /2016/17/130 dated 16/8/16 vide sr. 1 that compulsory retirement dated 20/6/2008 is issued under **conduct rules FR 56(J) of FR/SR.** furnish the copy of the rule Fr 56J of FR SR under CCS CCA. I cannot trace such rule in the rule book.

Note: The rules mentioned at serial nos. 5, 6 and 7 are already implemented against the applicant , hence should not be rejected with a mind set of quick reply that the information sought is not available.

7. Vide order No. KTC/ PERS/(566)/2014/15 2569 dated 4/12/2014, the suspension order dated 8/6/2007 suspending applicant from 8/6/2007 to 20/6/2008 is stand revoked by Managing Director. Since the action is already taken against the suspension order dated 8/6/2007 with predefined suspension period, such an order must be available on records of Personnel dept. Furnish copy and provide inspection of suspension order issued to the applicant dated 8/6/2007 with a predefined suspension period from 8/6/2007 to 20/6/2008 from the records of personnel dept or MD and file noting from Personnel / another dept. corresponding to order dated 4/12/14. Since MD has already signed the stand revoked order, he must have also verified such a document at the point of signing.

8. Vide PIO letter dated 22/2/16, serial no. 14, it is informed that the records of relied upon in the compulsory retirement are received by Shri Harmalkar from Mr. Goel & Mr. Naik , Managing Directors along with the proposal of Compulsory retirement. The PIO had further stated that Shri Harmalkar had provided this information but he has not provided the records. This is therefore a case of availability of records but refusal to part with the records by Shri Harmalkar. Hence provide me the inspection of the proposal and supporting records demanded by me under para 1,2,3 above. If Shri Harmalkar still refuses to provide the records, he should be declared as the deemed PO.

Some explanatory notes are provided in the application, since over a period of time, I am just been taken for a ride under excuse of information sought is "Not available". Here is a case that action is already taken on the available documents in very recent period.

9. Board Resolution adopting application of FR 56 (j) for mature retirement scheme of Govt. to KTC & <sup>officer</sup> ~~employee~~ provide suspension.

10. Board Resolution withdrawing order of CR dt. 19/7/2007 for re-employment. provide suspension

*[Signature]*

Shri Anuj Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 13 /07 /2018

To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.



OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 31  
Date 13/07/2018

Sign

Kindly furnish following information regarding the suspension and compulsory retirement of shri Mahesh Kamat.

Suspension:

1. Suspension order bearing reference no. KTC/ADMN/1-1/2007-08/24 dated 8/6/2007suspending shri Mahesh kamat from 8/6/2007 to 20/06/2008
2. Order of compulsory retirement dated 20/06/2008 passed in disciplinary proceedings with reference to contemplated disciplinary proceedings vide above suspension order.
3. Records of disciplinary proceedings from 8/6/2007 to 20/06/2008 ie from charge sheet to order of compulsory retirement in terms of CCS CCA Rules
4. Records generated with reference to suspension order KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 suspending Shri Mahesh Kamat with immediate effect such as review, modification, extension,

- revocation, disciplinary proceedings till the conclusion of proceedings into penalty or exoneration
5. Records of disciplinary authority sub delegated by shri Neto to Shri Kunkolienkar in respect of above suspension orders
  6. Records of disciplinary authority exercised if any by shri Kunkolienkar in respect of above suspension orders

#### Compulsory retirement

1. Records of review committee constituted by KTCL to conduct performance review of employees prematurely retired under FR 56(J)
2. Records of review committee , its consideration and formation of opinion by the Board in the matter of compulsory retirement of Shri Kamat under FR 56(J)
3. Records of representation committee constituted by KTCL to consider the representations of employees prematurely retired under FR 56(J) and its report in the matter of compulsory retirement of shri Mahesh Kamat
4. Copy of original note dated 6/6/2007 in respect of compulsory retirement initiated by shri Pawse, Personnel Manager
5. Record of note dated 4/6/2007 in respect of compulsory retirement initiated by shri Pawse, Personnel Manager

#### Final settlement under FR 56(J)

1. Record of regularization of suspension period as under duty or leave etc.
2. Record of notes dated 6/6/207 and /or 4/6/2007 relied upon for verification of terms of settlement and held by finance department
3. Rule governing the final settlement under premature retirement scheme of FR 56(J) ie
  1. Superannuation rules
  2. Dismissal rules
  3. Fr 56(J) rules

4. Combination of above or any other rule framed by the corporation
4. Other matters:
  1. Records placed before the review committee to make the performance review in respect of premature retirement of Shri Kamat under FR 56(J)
  2. Records of postal commission embezzlement, alteration of birth certificate, four suspensions prior to last suspension dated 8/6/2007, litigation at apex court between shri Kamat and shri Kunkolienkar in respect of shri Mahesh Kamat
5. Provide inspection of all records in the matter of 2 suspension dated 8/6/2007, 2 compulsory retirement orders dated 20/06/2008 and 2 notes of compulsory retirement dated 4/6/2007 & 6/6/2007 of shri Mahesh Kamat , held by Shri Neto
6. Copy of reply filed before Porvorim Police in the matter of complaint of manipulation of records of suspension by Mr. Neto
7. Memo No. KTC/ADMN/ 1-2/97-98/ 101 dated 2/2/98 issued to Shri Shrikant V. Naik DY. GM (tech)
8. Memo No. KTC/ ADMN/ 1-2/97-98/108 issued to shri Pramod Gaokar, purchase Officer
9. Voucher No 1348 dated 2/9/95 , payment to Vishuni enterprises
10. Copy of General ledger 94/95 in respect Vishuni enterprises
11. LTC claim dated 13/01/95 in respect of Shri Mahesh Kamat
12. Order No. KTC/ADMN/1-2/ 2002-03/ 61 dated 27/08/2002 , revocation of suspension order dated 24/2/2001 issued to shri Mahesh Kamat
13. Declaration of attendance of shri Mahesh Kamat, for the month of Feb. 1995
14. Felicitation of Shri Mahesh Kamat , AFC, for promoting small savings movement from the annual report

15. Order dated 6/09/2004 , promoting Shri P .A. Gaokar to the post of controller of purchases
16. KTC/STAT/152 dated 2/9/2009 from Mario Ataide to PIO
17. Copy of RTI application dated 4/07/2013 filed by shri Damu Kudalkar
18. Letters dated 17/2/2014 and 8/4/2014 from Shri Mahesh Kamat replied by shri Rajiv Naik , Personnel officer vide letter dated KTC/ Pers/566/2014-15 126 dated 19/4/2014
19. Agenda item No. 17 to consider and decide the absorption order of shri S. v. Naik and resolution No. 84/11
20. Letter KTC/Pers/ 2007-08/1934 dated 14/11/2007

Kamat  
(Anuj Kamat)



From:

Shri Sushant Bhandare  
Harsha Cooperative Housing Society  
Comba Margao Goa. ...403601

Date: 09/07/2018

To

The PIO

Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information



OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 36  
Date 13/7/2018  
Sign 8

1. Since when fundamental rules are made applicable to the KTCL employees
2. Whether fundamental rule FR 56(J) are made applicable to KTCL employees by adoption of Govt rules , if so whether they are adopted in totality or adopted and modified by KTCL subsequently. Furnish records of modifications and exemptions made to FR 56(J) by KTCL
3. Furnish list of employees identified as the dead wood under FR 56(J) since inception
4. Furnish the records of constitution of review and representation committee and changes in the constituent members from time to time
5. Furnish the records of proposals made to the review committee by KTCL for identification of employees as dead wood since 2005 till date under FR 56(J)
6. Furnish the records of recommendations of the review committee since 2005 onwards to retain the employee till superannuation or retire prematurely before superannuation
7. Furnish complete records of the proposals made to the Board by KTCL officers/officials along with the recommendations of the review committee for the formation of opinion under FR 56(J) since 2005
8. Furnish the records of opinion formed by the Board to dispense with the further services of the employee in public interest since 2005 till date

9. Whether KTCL had destroyed any records maintained by Personnel, Legal, Finance dept and Administration department in respect of Shri Mahesh Kamat , if yes furnish the complete list of records destroyed with administrative sanctions and minutes of destruction.
10. Furnish the records of records destroyed in KTCL since 2005 till date, if yes the complete list of records destroyed with administrative sanctions and minutes of destruction.
11. Furnish records of:
1. Multiple suspension orders issued to shri Kamat dated 8/6/2007
  2. Multiple orders of compulsory retirement issued to shri Kamat date 20/06/2008
  3. Multiple notes on compulsory retirement initiated by Shri Pawse dated 6/6/2007 and 4/6/2007
  4. Original not draft notes in the matter of compulsory retirement initiated by Shri Pawse, and Shri Goel in the month of June 2007
  5. Disciplinary proceedings preceding the compulsory retirement order dated 20/06/2008 issued to Shri Kamat in terms of rule 10(5) (a) of CCS CCA
  6. Furnish the record of disciplinary authority sub delegated by Shri Neto, MD to Shri V.V.S.Kunkolienkar in the matter of suspension order dated 8/6/2007 and provide the record of disciplinary authority exercised by Shri Kunkolienkar
  7. Furnish the information as to whether the deemed revocation of suspension order dated 8/6/2007 by Shri Kunkolienkar vide letter dated 30/6/2014 is with respect of:
    1. Suspension order dated 8/6/2007 suspending Shri Kamat with immediate effect or
    2. Suspension order dated 8/6/2007 suspending Shri Kamat from 8/6/2007 to 20/6/2008
  12. Furnish the copy of suspension order defining the suspension period from 8/6/07 to 20/06/2008 dated 8/6/2007 issued by Shri Goel and revoked by Shri Neto.

*Shandani*

*mateh*

From:

Shri Venkatesh Pai Raiturkar

"Sita" Bungalow,

H. No. 281-Z-37

Maina curtorim Goa

Date: 10 / 08 / 2018



To

The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa

Sir,

Sub: information under RTI, Act.

Furnish following information if generated by the Kadamba transport corporation ltd.

1. In the case of compulsory retirement of Shri Mahesh Kamat under FR 56(J)
  - a. The procedures followed by the corporation such as:
    1. Constituent members of the review committee which reviewed the performance of service records
    2. Recommendations of the review committee to retire Shri mahesh before superannuation
    3. Boards acceptance and approval of the recommendations of the review committee
    4. Opinion formed by the Board to dispense with the future services of Shri Mahesh Kamat till his superannuation in public interest
    5. Constitution of representation committee and its members
    6. Recommendations of the representation committee
    7. Consideration of the recommendations of the representation committee
    8. Boards acceptance and approval of representation committee report and its opinion

64

b. Other records generated by KTCL :

1. Record of embezzlement of postal commission
2. Record of alteration of birth certificate of Shri Narhari Naik
3. Record of litigation at apex court between Shri Mahesh Kamat and Shri Vallabhdas Kunkolienkar
4. Record of four suspensions prior to suspension dated 8/6/2007
5. Records establishing above records having nexus with public interest
6. The cases of KTCL officers covered under Fr 56(J) put up for review six months before they attain age of 50/55 years or complete 30 years service / 30 years of qualifying service to the review committee
7. Constitution of review committee & representation committee since inception and subsequent changes to committees

2. In case of suspension of Shri Mahesh Kamat, procedural records generated by KTCL:

1. Record of action taken by the Disciplinary authority against suspension order KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 suspending him with immediate effect such as modification, extension, revocation, disciplinary proceedings till exoneration or imposition of major penalty with approval of the Board for imposing major penalty
2. Record of suspension order KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 suspending him from 8/6/2007 to 20/06/2008 and further action taken records of modification, extension, revocation, disciplinary proceedings till exoneration or imposition of major penalty with approval of the Board for imposing major penalty
3. Record of authority for exercise of disciplinary authority by Shri Kunkolienkar as deemed revoked with identification of the suspension order at sr. 1 or sr. no 2 above which is deemed revoked
4. Record of compulsory retirement dated 20/06/2008 imposed as a major penalty in disciplinary proceedings

5. Record of treatment of suspension period against each suspension order and record of determination of suspension period against suspension order at sr. no. 1

3. Other records

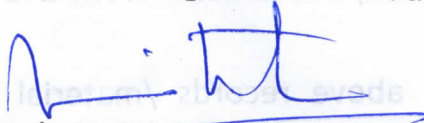
1. Record of note on compulsory retirement dated 4/6/2007
2. Record of original note on compulsory retirement dated 6/6/2007
3. Record of original note on CR put up by shri Goel
4. Record of rule of KTCL to effect the final settlement in case of CR under FR 56(J) ie rule of superannuation, rule of dismissal, rule of premature retirement or any other rule and not the Board resolution which adopted various rules above
5. Record of individual opinions submitted by directors to chairman
6. Record of withdrawal of previous decision vide resolution 71/2007
7. The source of power if any acquired by Shri Dereck Pereira Neto to modify statutory rules
8. Records of disciplinary authority delegated by Shri Neto to his subordinate officer Shri Kunkolienkar
9. The records generated to justify the holding back of final settlement of Shri Kamat against the order of compulsory retirement from 2008 to 2014
10. Records if any to show that any of above records /material was disclosed to the court in the writ petitions
11. Records of authority that formed the opinion as below:
  1. The mind set of Shri Kamat vide letter dated 10/01/2006
  2. Unnecessary and unwanted activity vide letter 14/6/2007, 23/7/2007, 25/07/2007, 26/06/2008
  3. Attitude towards work and responsibility vide letter 22/2/2007
12. Records justifying continuation of suspension vide order dated 8/6/2007 suspending shri kamat with immediate effect despite resolution 71/2007 of Board not to dismiss / retire shri Kamat in disciplinary proceedings.

13. Records if any justifying another order of suspension dated 8/6/2007 to 20/06/2008 , when one order of same date is pending action and against which the Board had decided not to initiate disciplinary proceedings

14. Records to show following records served on Shri Kamat:

1. Order of suspension dated 8/6/2007 suspending him from 8/6/2007 to 20/06/2008
2. Order of compulsory retirement in disciplinary proceedings dated 2/06/2008

If above records are not generated by corporation in the matter of suspension and compulsory retirement, the applicant be informed specifically that records sought by the applicant are not generated by KTCL and hence they cannot be supplied. No personal visit be imposed on the applicant. It is your concern to deal with third party. The entire records are in the domain of the Managing Director being the disciplinary authority who had followed the process prescribed under law before imposing suspension, compulsory retirement as penalty and non penalty. Any clarification as may be desired may be sought through correspondence. I am a senior citizen unable to go through the hazard of travelling mainly because of huge road blockades enroute due to high way work in progress.

  
(Venkatesh Raiturkar)

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 15 /06 /2018

To

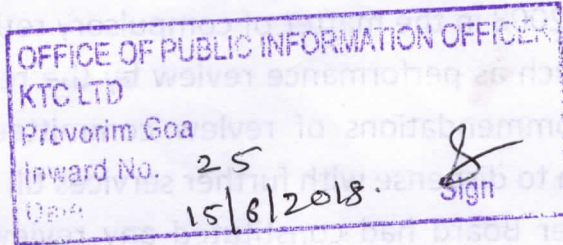
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information:

1. How many orders of suspension bearing reference No. KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 issued by Shri. Goel to Shri Mahesh Kamat while he was officiating as the MD of KTCL till 31/08/2008. Furnish copies of several orders if any.
2. How many orders of compulsory retirement other than dated 19/7/2007 & 20/06/2008 under FR 56(J) whether under CCS CCA Rules or under Fundamental Rules issued to Shri Kamat by Shri Goel prior to his exit from KTCL on 31/08/2008. Furnish copies of several orders if any.
3. Furnish records generated in KTCL, if any, after Board resolution 71/2007 on 11/6/2007 but before 19/07/2007 ie during the period 11/6/2007 to 19/7/2007 in the matter of compulsory retirement of Shri Kamat under FR 56(J) such as performance review by the review committee, consideration of recommendations of review committee by the Board, formation of opinion to dispense with further services till retirement of the employee.



4. Furnish record of Board resolution to reconsider its earlier decision of compulsory retirement vide resolution 71/2007
5. Furnish records generated in KTCL, if any, after Board resolution 43/2008 on 4/4/2008 but before 20/06/2008 ie during the period 4/4/2008 to 20/06/2008 in the matter of compulsory retirement of Shri Kamat under FR 56(J) such as performance review by the review committee, consideration of recommendations of review committee by the Board, formation of opinion to dispense with further services till retirement of the employee.
6. Whether Board had constituted any review committee & representation committee for the purpose of performance assessment and review of representation in the matter of premature compulsory retirement under FR 56(j) any time after the adoption of resolution 900, if yes provide copies.
7. Whether any review committee and representation committee was in force in KTCL, under Fundamental rules to consider the premature retirement during the period from 11/6/2007 to 20/06/2008 , if yes furnish the names of constituent members
8. Furnish complete record of disciplinary proceedings under suspension order No. KTC/ADMN/1-1/ 2007-08/24 dated 8/6/2007 issued by Shri Goel, suspending Shri Kamat with immediate effect ie from the charge sheet, enquiry proceedings, orders of revocation, order of exoneration, order of penalty etc.
9. Furnish complete record of disciplinary proceedings under suspension order No. KTC/ADMN/1-1/ 2007-08/24 dated 8/6/2007 issued by Shri Goel, if any, suspending Shri Kamat from 8/6/2007 to 20/06/2008 ie from the charge sheet, enquiry proceedings, orders of revocation, order of exoneration, order of penalty etc.
10. Whether Mr. Neto, Disciplinary authority sub delegated his disciplinary powers under resolution 900 to Shri kunkolienkar , GM/ in charge Personnel Manager , if yes , furnish the instrument of sub delegation
11. Notes of compulsory retirement initiated by Shri T. K. Pawse , Personnel Manager each dated 4/6/2007 & 6/6/2007 with records of submission from personnel department to administration department , legal department.



12. Records relied upon by the finance department for effecting the final settlement as below:

1. Order of disciplinary authority defining the suspension period, treatment of suspension period under:

- a. Suspension order dated 8/6/2007 with immediate effect
- b. Suspension order dated 8/6/2007 from 8/6/2007 to 20/06/2008
- c. Order of compulsory retirement dated 20/06/2008 as penalty under CCS CCA Rules

2. Note forming part of compulsory retirement under FR 56(J) put up by Shri Pawse , Personnel Manager dated 6/6/2007 of its own or transfer of note to finance department no. KTC/LA/4/2014-15/174 dated 19/07/2014

13. Whether any disciplinary proceedings held against Shri Mahesh Kamat :

1. After 8/6/2007
2. During 8/6/2007 to 20/06/2008.

If yes, furnish records

14. Whether any order of penalty of removal/ dismissal/ compulsory retirement in disciplinary proceedings passed against Shri Mahesh kamat :

1. After 8/6/2007
2. During the period 8/6/2007 to 20/6/2008

If yes, furnish records.

15. Provide inspection of file maintained by PIO with reference to RTI application of the applicant dated 6/09/2017

16. whether following documents are records of KTCL, if yes please furnish, if not confirm that they are not the records of KTCL

1. Suspension order No. KTC/ADMN/1-1/ 2007-08/24 dated 8/6/2007 suspending Shri Kamat from 8/6/2007 to 20/06/2008 issued by Shri Goel
2. Order of compulsory retirement dated 20/06/2008 issued by shri Goel as a major penalty under CCS CCA for established misconducts in disciplinary proceedings.
3. Whether any time after 8/6/2007 till 31/08/2008, Shri Goel modified, revoked the suspension order dated 8/6/2007. If yes, furnish the records.

17. Whether apart from resolutions 71/2007 & 43/2008, the Board formed any opinion under Fr 56(j), If yes kindly furnish the record

18. If the above information is not available with the KTCL it may be informed:

1. Whether above records were not originated or not forming part of the records held by or created by the public authority in the routine administration of the disciplinary proceedings / preponing retirement under the service rules.

2. Whether above records are originated by the public authority in the routine administration and destroyed later. If that is the case the records of retention policy, administrative sanctions for destruction and minutes of destruction

3. Whether records are originated by public authority in the routine administration, not destroyed but misplaced records of enquiry for loss of records, action taken against the concerned. In such case the records should be reconstructed and furnished.

19. Furnish the rule copy in the matter of records retention

20. Furnish the records relating to destruction of records from 2007 till date

  
(Mahesh Kamat)

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

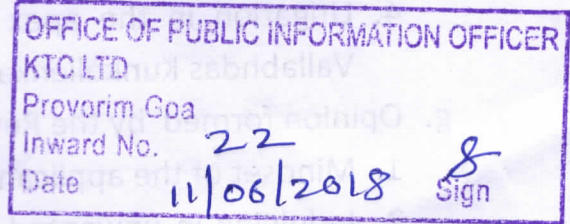
Date: 08/06/2018

To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,  
Sub: information under RTI, Act.

In appeal 33/2018/SIC-I/369 before SIC you have provided inspection of records on 12/03/2018 and thereafter on 26/03/2018, you have provided me the copies. However you have not provided the following records for inspection:

1. In the matter of compulsory retirement under rule FR 56(J) of shri Mahesh Kamat:
  - a. Resolution constituting the review committee and representation committee for reviewing the performance of the employee and for considering the representation against the order of compulsory retirement, respectively in terms of service condition in general.
  - b. The members of review committee and representation committee in the year 2007 & 2008 with respect of compulsory retirement of shri Mahesh Kamat
  - c. The review report of review committee and decision of the representation committee during 2007 & 2008.
  - d. Records of consideration of recommendations of review committee and representation committee by the Board during 2007 & 2008.



- e. Opinion recorded by the Board to dispense with further services till superannuation of Shri Kamat in public interest during 2007 & 2008.
- f. Records placed before the Board vide item 9 in 156<sup>th</sup> meeting dated 4/4/2008
1. Four suspensions prior to suspension dated 8/6/2007
  2. Embezzlement of postal commission
  3. Alteration of birth certificate of Shri Narhari Naik
  4. Litigation in the apex court between shri Mahesh Kamat & Shri. Vallabhdas Kunkolienkar
- g. Opinion formed by the Review committee/ Board
1. Mindset of the applicant with reference to letter dated 10/01/2006
  2. Indulging in unwanted and unnecessary activities with reference to letter dated 14/6/2007, 23/7/2007, 25/7/2007, 26/6/2008
  3. Improper attitude towards work and responsibilities with reference to letter no. 22/2/2007
- h. Board resolution to withdraw the decision of compulsory retirement vide resolution 71/2007 for reconsideration
- i. Records of individual opinion of Directors in the matter of compulsory retirement required to be submitted to the chairman vide minutes to item No. 4 to resolution 43/2008.
- j. Records of original notes from the Personnel Manager dated 6/6/2007 and Managing Director in June 2007 while adopting resolution 71/2007
- k. Records of notes of compulsory retirement initiated by Shri Pawse , Personnel Manager dated 4/6/2007
- l. Records of compulsory retirement scheme/ notes of shri Pawse dated 4/6/2007, 6/6/2007 provided to finance department for effecting the final settlement as per provisions of FR 56(J).
- m. Records of directions to the finance department about the revocation of suspension order dated 8/6/2007 (which was with immediate effect without any pre determined suspension period ), determination of suspension period and treatment of suspension period
- n. Copy of rule 56(J) of CCS CCA as disclosed vide letter KTC/ PIO/ 166/ (74) /2015/16/229 dated 22/2/16

o. Copy of rule conduct rules FR 56(J) of FR/SR as disclosed vide letter KTC/PIO/166/(36)/2016/17/130 dated 16/8/16

2. In the matter of suspension for contemplated disciplinary proceedings against Shri Kamat.

a. I was placed under suspension vide order KTC/ADMN/1-1/2007-08//24 dated 8/6/2007 **with immediate effect**, following records

1. Amendments, modifications, revocation to suspension order
2. Charge sheet, disciplinary proceedings, enquiry findings and order of exoneration for not proved misconducts or order of penalty for proved misconducts.

b. Vide order KTC/PERS/(566) 2014-15/2569 dated 4/12/2014, the applicant was informed that the suspension vide order KTC/ADMN/1-1/2007-08//24 dated 8/6/2007 was predefined **from 8/6/2007 to 20/06/2008**, following records:

1. Order of suspension KTC/ADMN/1-1/2007-08//24 dated 8/6/2007 was predefined suspension period from 8/6/2007 to 20/06/2008
2. Records of charge sheet, enquiry proceedings during the period 8/6/2007 to 20/6/2008 and order of compulsory retirement dated 20/06/2008 as major penalty for proved misconducts in disciplinary proceedings under CCS CCA
3. Board resolution during the period 8/6/2007 to 20/06/2008, approving the imposition of major penalty of compulsory retirement/dismissal/ removal for proved misconducts vide resolution No. 900.
4. Records sub delegating disciplinary authority by Mr. Neto to his subordinate officer Shri Kunkolienkar who issued the order of deemed revocation dated 30/06/2014.
5. Records to show which order of suspension dated 8/6/2007 is deemed revoked by Shri Kunkolienkar ie one with predefined suspension period or without predefined suspension period and rule of CCS CCA invoked for deemed revocation.

3. How many suspension orders are there in the personnel files of Shri Kamat bearing reference no. KTC/ADMN/1-1/ 2007-08//24 dated 8/6/2007.

Provide copies of all orders dated 8/6/2007.

*Copies which are available on the records of P.F. Kamat was already inspected by you on 12/3/18 bet CSLE & also furnished*

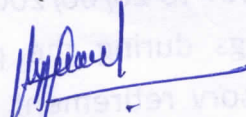
4. How many orders of compulsory retirement are there in the personnel file of Shri Kamat dated 20/6/2008? Provide copies of all orders of compulsory retirement dated 20/06/2008.

*Same as above*

*the copy provided to CSLE vide letter dated 15/07/18 vide Annexure 8C*

5. You have submitted before the Hon. Information commission on 26/03/2018 that there are no any other files/ records maintained and available with KTCL in addition to files produced for inspection on 12/3/2018. if above files/ records are not maintained/ not available, kindly state the factual position that above records at no point of time available with the public authority. If you disagree with this, you must furnish the records by locating /reconstructing the misplaced/ held back files / records from disclosure.

The above information is not imaginary since the full facts of records sought are derived from the action taken records by Shri Neto, MD, KTCL in the year 2014.

  
(Mahesh Kamat)



From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 11/04/2018

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Provorum Goa  
Inward No. 01/11/2018  
Date 11/04/2018  
Sign

To

The PIO  
Kadamba Transport corporation ltd  
Paraiso De Goa Building  
Alto Porvorim Goa

Sub: information under RTI, Act 2005

Kindly provide following information:

1. Suspension :
  - a. Order of suspension issued to shri Mahesh Kamat by Shri Goel dated 8/6/2007 with pre determined suspension period from 8/6/2007 to 20/06/2008 - when given all info
  - b. Order of modification, extension, revocation to the suspension order dated 8/6/2007
  - c. Record of disciplinary authority if any extended to Shri Kunkolienkar , subordinate officer to Disciplinary authority with reference to suspension order dated 8/6/2007 which has been declared as deemed revoked vide letter dated 30/06/2014
  - d. Order of dismissal, removal or compulsory retirement as per rule 10 (5) (a) of CCS CCA in respect of suspension order dated 8/6/2007
  - e. Records of disciplinary proceedings with reference to the suspension order dated 8/6/2007 ie disclosure of charges, appointment of enquiry authority, presenting officer, list of charges, list of witnesses, records of proceedings, enquiry findings, recommendations of major penalty,

records of proposal to Board to impose major penalty and resolution of Board to impose major penalty

f. Records relied upon by Shri Neto from the personnel files of Shri Kamat to treat the suspension order dated 8/6/2007 was from 8/6/2007 to 20/06/2008 and (order of dismissal, removal, compulsory retirement dated 20/06/2018 with reference to which Mr. Neto had issued the order dated 4/12/2014.)

2. Compulsory retirement of shri Mahesh Kamat

- a. Original note dated 6/6/2007 put by Shri T. k. Pawse to Shri Goel
- b. Records of outward of said original note dated 8/6/2007 from the personnel dept or its receipt in the legal dept
- c. Record of original note on compulsory retirement put up by Shri Goel to the Board based on note of Shri Pawse in the 154<sup>th</sup> meeting
- d. Record of rules and constitution of review committee
- e. Record of review report on assessment of performance records of Shri Kamat and recommendations for his premature compulsory retirement
- f. Record of rules and constitution of representation committee
- g. Record of report of the representation committee on the representation filed by Shri Kamat and their recommendation for or against the order of premature compulsory retirement
- h. Record of recommendations of review committee/ representation committee considered by the Board in its Board meeting
- i. Record of opinion formed and recorded by the Board to dispense with future services of Shri Kamat in public interest
- j. Records of resolution from the Board to withdraw the order of compulsory retirement dated 19/7/2007 for reconsideration
- k. Records of individual opinion sought by the Board on compulsory retirement at the stage of reconsideration of CR order.
- l. Records of 4 suspensions prior to suspension dated 8/6/2007
- m. Embezzlement of postal commission ✓
- n. Alteration of birth certificate of Shri Narhari Naik ✓
- o. Litigation in apex court between Shri Mahesh Kamat and Shri Kunkoliengar at the apex court ✓



- p. Recommendations of the review committee and their consideration by the Board about the state of mind, behavior, attitude, refusal to work etc for the purpose of compulsory retirement at the reconsideration stage.
3. Final settlement of Shri Kamat, records made available to finance dept.
- Record of revocation of suspension order dated 8/6/2007, with defined suspension period, treatment of suspension period, record of order of dismissal, removal or compulsory retirement in disciplinary proceedings
  - Record of CRS Rules
  - Records of CRS note dated 8/6/2007
  - Records of Compulsory retirement scheme

The position of above records revealed by inspection dated 12/3/2018 is as below:

1. Suspension

The suspension order dated 8/6/2007 issued to me and on records of various departments of KTCL over 15 destinations is without predetermined suspension period from 8/6/2007 to 20/6/2008 without any review, extension, modification, initiation of enquiry proceedings and proper revocation as per CCS CCA Rules

2. Compulsory retirement

The compulsory retirement is processed like a routine board proposal as per resolutions 71/2007 & 43/2008 without any review of service records by a well constituted review committee, representation committee without formation of opinion by the Board to dispense with the further services in public interest on the basis of recommendations of the committee as its material for opinion formation.

3. Final settlement

The final settlement is effected on the basis of instructions given by Shri Kunkolienkar without any record of defining the suspension period and treatment of suspension period, and without any CRS scheme or proposal provided for verification by the finance department

4. Contrary records also exist to prove the actual state of records as below:

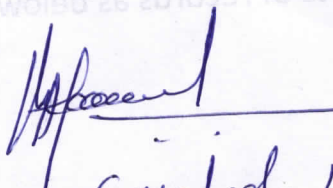
1. Records of lack of 4 suspensions prior to last suspension dated 8/6/2007. Records show only two prior suspensions
2. Records of lack of alteration of birth certificate. Record show confirmation of birth certificate by the registering authority
3. Record of lack of embezzlement of postal commission. Records show appreciation for introduction of postal saving scheme in KTCL.
4. Record of lack of dispute at apex level between Shri Kunkolienkar and applicant. Record show he dispute at the apex court between Shri Kunkolienkar and Smt. Hirabai kamat

Records produced in inspection show that every record is serially numbered and all pages in tact except few pages in the other file maintained by shri Goel. Inspection does not make any case for records created but destroyed later. Inspection makes only one case of record created but misplaced in respect of file of one board meeting and individual file of the respective employee.

I hope that in view of records offered for inspection, contrary documents produced by me before the state information commission, at least now you will give me the correct information that the records sought by the applicant are not created by KTCL and PIO is not obligated to create and furnish the records under the rule. Any compliance other than records are not created in the KTCL shall be incorrect, evasive and false as per the records produced by PIO for inspection on 12/3/2018, attracting the penal provision under the act.

4. Provide inspection of files maintained by PIO in respect of following applications:

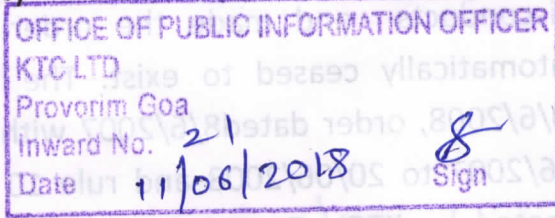
1. Application dated 28/05/16 → No application filed by applicant on 28/05/16
- ✓ 2. Application dated 31/01/17 → 65
- ✓ 3. Application dated 28/6/17 → 08
- ✓ 4. Application dated 22/07/2016 → File No. 36
- ✓ 5. Application dated 25/01/2016 → F.No. 74
- ✓ 6. Application dated 17/10/17 - F.No. 28

  
(Mahesh Kamat)

From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 09/06/2018



To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information:

1. Mr. Neto , Managing Director, KTCL, issued a order bearing reference No. KTC/ PERS/ (566) /2014-15/2569 dated 4/12/14 wherein the suspension order No. KTC/ ADMN/ /1-1/ 2007-08/24 dated 8/6/2007 suspending Shri Mahesh P. Kamat, from 8/6/2007 to 20/06/2008 is stand revoked. The action taken record is dated 4/12/2014 and the record on which action is taken is dated 8/6/2007 as referred above. Both are records created by the corporation. Furnish the copy of suspension order No. KTC/ ADMN/ /1-1/ 2007-08/24 dated 8/6/2007 issued to shri Mahesh Kamat, **suspending him from 8/6/2007 to 20/06/2008**. In the alternative, state the factual position that the above record is not created by KTCL. Seek the above information from Mr. Neto and if he is not cooperating, he should be declared as deemed PIO. Give me the inspection of records of information sought by PIO in this application from Mr. Neto and the reply received in the office of PIO from Mr. Neto.

*Sachin*  
1.A. Copy of reply filed before the Porvorim Police  
in the matter of complaint of manipulation of contents  
in the order of suspension by Mr. Neto.

2. Mr. Neto , as per rule 10 (5) (a) of CCS CCA had issued the said order of stands revoked merging the above said order dated 8/6/2007 into order of penalty dated 20/06/2008 issued in disciplinary proceedings for established misconducts and made the order of suspension dated 8/6/2007 as automatically ceased to exist. The order dated 4/12/14, order dated 20/6/2008, order dated 8/6/2007 with predefined suspension period from 8/6/2007 to 20/06/2008 and rule 10 (5) (a) of CCS CCA are the records created by KTCL. Furnish entire records of disciplinary proceedings and order of penalty in disciplinary proceedings for proved misconducts dated 20/06/2008. In the alternative, state the factual position that the above record is not created by KTCL. Seek the above information from Mr. Neto and if he is not cooperating, he should be declared as deemed PIO

3. In the past, this information is sought where in the PIO had replied that the information is not available. Give me the inspection of records of PIO wherein the office of PIO had received information that records of suspension and records of disciplinary proceedings are not available.

4. Provide me copies of order of compulsory retirement as penalty under rule 10 (5) (a) of CCS CCA & compulsory retirement as administrative decision under Rule 56(J) of Fundamental Rules all dated 20/6/2008 issued to shri Mahesh Kamat.

5. Give me the inspection of all files maintained by PIO containing the replies / compliances from the concerned departments with respect to the RTI applications filed by this applicant.

6. Shri Mahesh Kamat was issued the orders of compulsory retirement vide orders dated 19/7/2007 and 20/6/2008 under rule 56(j) of fundamental Rules. In respect of each of above order, kindly furnish:

1. Composition of review committee
2. Review report of review committee
3. Composition of representation committee
4. Recommendations of the representation committee
5. Opinion formed by the Board to dispense with further services of Shri Kamat till his superannuation in public interest.

a) Copy of order dated 20/6/2008  
b) Copy of order dated 19/7/2007  
c) Copy of order dated 20/6/2008

6. Directors opinion to the chairman in the matter compulsory retirement as per the decision prior to resolution 43/2008
7. Service records placed before the review committee
8. Representation against the order of compulsory retirement placed before the representation committee
9. Record of decision of Board to withdraw the order of compulsory retirement dated 19/7/2007
10. Records of draft notes from Shri Pawse and Shri Goel placed before the review committee
11. Inspection of final original notes from shri Pawse dated 4/6/2007 & 6/6/2007 and Shri Goel.

7. Give me records as below which are reported in earlier applications as placed before the Board:

1. Four suspension orders prior to suspension dated 8/6/2007
  2. Records of embezzlement of postal commission
  3. Records of alteration of Birth certificate of Shri Naik
  4. Record of litigation between Shri Kamat and Shri Kunkolienkar at the apex court
8. You have given me the copy of note on compulsory retirement dated 6/6/2007 from T. k. pawse. Give me the copy of note on compulsory retirement dated 4/6/2007 from Shri T. K. Pawse
9. Give me the inspection of records of information sought by PIO in this application from Mr. Neto and the reply received in the office of PIO from Mr. Neto.

I am seeking this information from you again and again and you are not giving me the correct information. Since this information pertains specifically to me, I have reasonable ground to believe that you are giving me the false information. Further from the previous information and inspections and contrary records in my possession, I have ground to believe that you are not releasing the factual position. In the process, I am harassed, victimized and put to lot of inconvenience and costs. I have been very cooperative to you till date and even did not pursue for penalty before the commission. However if you continue to give the false information

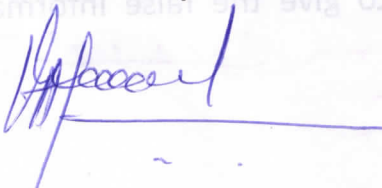
*checking factual position*  
*concerned person*

hereinafter, I will be compelled to pursue for complaint, penalty and seek compensation under the act entirely to your cost and consequences, may please note.

Being a subject of above information, I Know that:

1. Suspension order dated 8/6/2007 with predefined suspension period from 8/6/2007 to 20/06/2008 was not issued to me by Shri Goel or any other MD. This order is manipulated by Shri Neto.
2. No disciplinary proceedings came to be initiated against me by any of the Managing directors. Hence order of penalty dated 20/6/2008 is manipulation of Shri Neto. Only order of compulsory retirement dated 20/06/2008 came to be issued to me is under rule FR 56(J) which does not stand in the class of penalty.
3. I have note of Shri Pawse dated 4/6/2007 wherein he proposed the constitution of screening committee/ review committee for carrying out the performance review. From this and the inspection of records, I have confirmed that no review committee had ever been created in KTCL.
4. I know that prior to 8/6/2007, I was suspended on 25/10/97 & 24/2/2001 hence the question of 4 suspensions does not arise. Both the suspensions were as statistical officer and not as Dy. Finance Controller.
5. There are records with KTCL independently confirmed from the Tahasildar, Karwar that the birth certificate produced by Shri Narhari Naik is not altered
6. I have records of approval from the KTCL , National savings organization, and appreciation letter from state chief minister for promoting the small savings movement in KTCL, hence there is no scope for embezzlement
7. Myself and shri Kunkolienkar had never fought any litigation before the apex court.

If you are interested to verify and confirm above submissions, I am willing to produce records for your verification. Hence please furnish me the correct factual information or face the consequence under the act, the choice is yours.



From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 19/02/2018

To

The PIO

Kadamba Transport corporation ltd  
Paraiso De Goa Building  
Alto Porvorim Goa

Sir,

Sub: iformation under RTI, Act 2005

Kindly provide following information:

1. Suspension of Shri Mahesh kamat vide suspension order dated 8/06/2007
  - a. The applicant while in the employment of KTCL was suspended by Shri Goel, Disciplinary authority contemplating the disciplinary proceedings. The suspension was effective from 8/6/2007 without determination of suspension period from 8/6/2007 to 20/06/2008. Mr. Neto, MD & DA vide order dated 4/12/2014 , directed that the suspension order dated 8/6/2007 , suspending the applicant from 8/6/2007 to 20/6/2008 is stand revoked. The applicant is having the suspension order dated 8/6/2007 without predefined suspension period served on him by Mr. Goel. Mr. Neto had acted on suspension order of same date issued by same authority but with different content of predefined suspension period. Furnish the copy of suspension order dated 8/6/2007 issued under authority of Shri Goel with pre determined suspension period from 8/6/2007 to 20/6/2008

OFFICE OF PUBLIC INFORMATION OFFICER

KTC LTD

Porvorim Goa

Inward No. 48

Date 19/02/2018

Sign



- b. Provide inspection in the matter of stand revoked order dated 4/12/2014 in respect of suspension order dated 8/6/2007 from the stage of initiation by Personnel / Legal / Administration dept. of KTCL till the stage of approval and release of order by Mr. Neto, MD & DA
- c. Mr. Neto, MD & DA had invoked Rule 10 (5) (a) of CCS CCA, Rules 1965 and put an automatic stoppage to suspension order dated 8/6/2007 by virtue of order of dismissal, removal, compulsory retirement in disciplinary proceedings dated 20/6/2008. [Furnish the complete records next to order of suspension dated 8/6/2007 till 20/6/2008 all inclusive ie charge sheet, appointment of enquiry officer, presenting officer, management witness, records of proceedings, enquiry findings, submission of findings to the applicant for opinion and order of removal, dismissal, compulsory retirement upon establishment of charges till 20/06/2008.]
- d. Mr. Neto in written statement in suit 68/2015 stated on oath before the civil court that revocation of suspension order dated 8/6/2007 is technical and symbolical. [Furnish the rules of technical and symbolic revocation from the rule book CCS CCA, 1965 invoked by Disciplinary authority]
- e. Mr. Neto had delegated disciplinary authority to his junior officer Shri Kunkolienkar to deal with suspension order dated 8/6/2007 who deemed revoked the suspension order vide letter dated 30/6/2014. [Kindly furnish the rules of CCS CCA, 1965 under which Mr. Neto sub delegated his disciplinary powers to his subordinate officer.]
- f. Vide note dated 11/08/2014, the accounts department sought to know the action taken on suspension order dated 8/6/2007 by Disciplinary Authority which was open and undecided till that date to enable them to proceed in the matter of final settlement of the applicant. [Furnish records of compliance if any given by Mr. Neto, DA to the finance department in connection with above remarks]
- g. Furnish records of action taken by Shri Neto from 25/6/2012 (joining date) till 4/12/2014 against the suspension order dated 8/6/2007



- h. Furnish copy of suspension order dated 8/6/2007 with contents that suspension is from 8/6/2007 to 20/6/08 if any issued to the applicant from any of the Disciplinary authorities in KTCL
- i. Furnish information as to which disciplinary authority issued suspension order to Shri kamat dated 8/6/2007 which stipulate that suspension period is from 8/6/2007 till 20/6/2008
- j. Furnish the records to show the department that submitted to Mr. Neto the suspension order dated 8/6/2007 with stipulation that the suspension period is from 8/6/2007 to 20/6/2008
- k. Furnish records to show from which dept. the administration dept headed by the disciplinary authority came in possession of the suspension order dated 8/6/2007 with stipulation that the suspension period is from 8/6/2007 to 20/6/2008.

2. Vide note dated 11/08/2014, the finance dept. sought to know the rules & regulations of CRS scheme or noting which defines the CRS in totality from Administration/ Personnel/Legal/Board Meeting to vouch the scheme before effecting the final settlement. [Kindly provide inspection of records provided to the finance dept from Administration, Personnel and legal dept dealing with matters of law and Board on the issues of premature compulsory retirement under Fr 56(J).]

3. Shri T. K Pawse, Shri Kunkolienkar and Shri Harmalkar had retired from KTCL when Mr. Neto was the MD. The applicant had represented for action to be taken against each of them prior to their retirement who had committed irregularities in the matter of Fr 56(J) premature retirement of the applicant. [Kindly furnish the records of action if any taken by Mr. Neto against each or any of them.]

4. Kindly furnish records of steps taken by Mr. Neto to recover the loss caused to KTCL as reported in the report of the vigilance department of Govt of Goa from the predecessor Managing directors.

5. Kindly furnish the records of steps taken by Shri Neto to trace the misplaced file containing the resolution to provide free legal aid to the officers where in Mr. Mr Neto without locating the appropriate file and

\* (Inf<sup>n</sup> furnished vide No. KTC/PIO/166(28)/77-18/59 dt. 14/11/17)  
ie: Inf<sup>n</sup> sought as within Perview, RTI Act 2005.)

without personal verification of resolution extended free legal aid to Shri Harmalkar and Shri Kunkolienkar in civil suit 68/2015 in which the subject officers are made parties in their personal capacity.

6. Kindly furnish record of the steps taken by Mr. Neto, MD to trace the personal file of the employee with reference to whom the decision was taken by the Board to provide legal aid to officers when implicated in court cases. The concurrent misplacement of files at serial no. 5 & 6 cannot be an act of God to facilitate the free legal aid to officers in gross negligence.
7. Furnish the files at sr no. 5 & 6 for inspection with relevant resolution
8. Furnish the letter made to Adv. Surendra Desai for his opinion in the matter of Fr 56(J) retirement of the applicant and his reply in the matter
9. Furnish inspection the legal files maintained by KTCL in the matter of litigation under writ 492/2007 & 569/2008
10. Furnish names of Directors who attended 156<sup>th</sup> and 157<sup>th</sup> Board meeting and records of opinion submitted by each director of 156<sup>th</sup> Board meeting to chairman with reference to item No. 4 and resolution 43/2008 in the matter of premature retirement under Fr 56(J) of the applicant.
11. Provide inspection of note KTC/LA/BM-158/08-09/115 dated 30/05/2008
12. Kindly provide the records of instruction given by the Board to withdraw the decision vide resolution 71/2007 for reconsideration

Kindly supply the information if it is the record of corporation or refuse to supply if it is not the record of corporation without converting the information sought into a question whether the information sought is available or not available with corporation. I am definitely not insisting any information which is not the records of the corporation.

  
(Mahesh Kamat)

From:

Shri Gautam Bene

House No. 361, Madevamoddi

Tilamol, Quepem Goa...403705

Date: 07/07/2018

To

The PIO

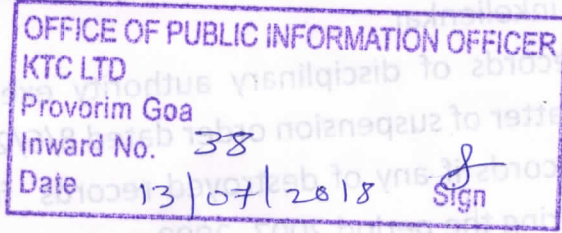
Kadamba Transport Corporation Ltd

Porvorim Goa

Sir,

Sub: information under RTI, Act.

1. Various orders of suspension of shri Mahesh Kamat dated 8/6/2007
2. Various orders of compulsory retirement of Shri Mahesh kamat dated 20/06/2008
3. Various notes of compulsory retirement submitted by Shri Pawse, Personnel Manager in the matter of compulsory retirement during june 2007
4. All records of disciplinary proceedings against shri Kamat during the period 8/6/2007 to 20/06/2008
5. All circulars dealing with the record retention policy of KTCL
6. All circulars dealing with the responsibility of officers for records protection
7. All records destroyed from 2007 onwards with approvals , minutes etc
8. Records of constitution of review committee and representation committee to deal with the matters of compulsory retirement under Fr 56(J)
9. Records of review committee since inception of KTCL that identified the employees as dead wood for premature retirement
10. Records of review committee , representation committee and opinion formed by the Board in the matter of compulsory retirement of shri Mahesh kamat



11. Records of litigation fought at the apex court between Shri Kamat and Shri Kunkolienkar
12. Furnish the copies of original notes from Shri Pawse and Shri Goel in the matter of compulsory retirement of Shri Kamat
13. Furnish the records as below relied upon by the finance department to verify the final settlement of Shri Kamat
  1. Orders deciding the suspension period & treatment of suspension period,
  2. Note of Shri Pawse forming part of CRS proposal
14. Records of sub delegation of disciplinary authority by Shri Neto to Shri Kunkolienkar
15. Records of disciplinary authority exercised by Shri Kunkolienkar in the matter of suspension order dated 8/6/2007 on behalf of Shri Neto.
16. Records if any of destroyed records from the personal file of Shri Kamat during the period 2007 -2009
17. If any of the above records are created in the past but not available now, please furnish :
  1. Whether records were destroyed with supporting papers in favor of destruction
  2. Whether records were not destroyed but misplaced, reports of inquiry investigating into the loss of records

Gautam Bene  
(Gautam Bene)

made b

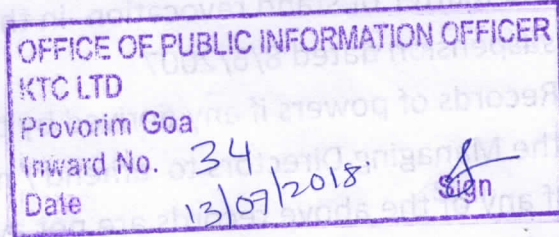
From:

Shri Rupesh Kakodkar  
Pongirwal  
Cacora Curchorem Goa

Date: 12/07/2018



To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa



Sir

Kindly furnish following information:

1. Records of each suspension order issued to shri Mahesh Kamat vide order dated 8/6/2007 suspending him from immediate effect and from 8/6/2007 to 20/06/2008
2. Furnish the records of regularization of suspension period by the disciplinary authority in respect of each of the suspension order
3. Furnish the records of modification, extension, revocation of each order of suspension
4. Furnish the records of disciplinary proceedings against each order of suspension
5. Furnish records of appointment of presenting officer, enquiry officer in respect of each order of suspension contemplating the disciplinary proceedings
6. Furnish the records of enquiry findings in each case
7. Furnish the order of penalty issued in each case if any
8. Furnish the copy of rules in KTCL governing the stand revocation of suspension order
9. Copy of rules enabling the Disciplinary authority to sub delegate his disciplinary powers

10. Records of sub- delegation of disciplinary powers by Shri Neto , MD to Shri V. V. S. Kunkolienkar , Personnel Managr/ General Manager in respect of each of above suspension orders
11. Records of disciplinary authority exercised by Shri Kunkolienkar in respect of each of the suspension orders mentioned above
12. Copy of rules governing the benefits of premature retirement under FR 56(J)
13. Copy of compulsory retirement dated 20/06/2008 issued to shri Kamat in the matter of stand revocation in the year 2014 in respect of each order of suspension dated 8/6/2007
14. Records of powers if any derived by the board of directors and delegated to the Managing Directors to amend / modify the statutory rules
15. If any of the above records are not available in the corporation now, Please inform:
  1. Whether any time above records were available in KTCL
  2. Whether any time above records were destroyed
  3. Whether any time above records were misplaced
16. The records of record retention policy in KTCL
17. The records showing the responsibility of each authority to protect the records
18. Whether any of the above records are held or were held by the office of Managing Director, then provide the inspection of records from the office of Managing Director
19. Records of original not draft notes on compulsory retirement under Fr 56(J) to Shri Kamat initiated by the Personnel Manager and Managing Director



(Rupesh Kakodkar)

From:

Shri Pradeep Kakodkar

Bansai, Curchorem Goa

9822127130

Date: 11/07/2018

To

The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa



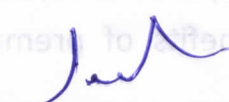
OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 35  
Date 13/07/2018

Sir,

Sub: information under RTI, Act.

1. Records of resolutions constituting the review committee under FR 56(J)
2. Records of resolutions constituting the representation committee under FR 56(J)
3. Records of recommendations by review committee and representation committee of all employees retired prematurely under FR 56(J) till date
4. Records of constitution of appropriate committee to assess the potential for continued utility of shri Mahesh Kamat who is prematurely retired under FR 56(J)
5. Records of constitution of representation committee for post decisional review on representation of shri Mahesh Kamat who is prematurely retired under FR 56(J)
6. Records of consideration of the recommendations of the review committee by the Board in respect of Shri Mahesh Kamat
7. Records of consideration of recommendations of the representation committee in respect of shri Mahesh Kamat
8. Records of opinion formed by the Board to dispense with further services of Shri Kamat in public interest in respect of resolutions 71/2007 & 43/2008
9. Records of rules in force in KTCL to define the benefits of premature retirement under FR 56(J) ie

1. Compulsory retirement under FR 56(J) and benefits under superannuation rule
2. Compulsory retirement under FR 56(J) and consequences of dismissal/removal in disciplinary proceedings under CCS CCA Rules
3. Compulsory retirement under Fr 56(J) and benefits under FR 56(J) rules
10. Records of rules in KTCL defining the public interest and guidelines/standards for assessing the public interest
11. List of records assessed as material having nexus with public interest for the purpose of formation of opinion of premature retirement of shri Mahesh Kamat
12. Records dealing with powers of the KTCL Board/ Managing Directors to amend the provisions or make provisions contrary to the statutory rules
13. Whether by order dated 20/06/2008, Shri kamat is compulsorily retired as penalty under CCS CCA rules or as non punishment administrative decision under FR 56(J) or both as punishment and non punishment under one common order.
14. If compulsory retirement is punishment furnish the records of opportunity showing cause against the action proposed to be taken in that regard given to shri Mahesh Kamat
15. If Compulsory retirement is non punishment furnish records of procedure preceding the order ie appraisal by the review committee, Boards consideration of recommendations of the review committee and formation of opinion.
16. Whether provisions of FR 56(J) are fully applicable to KTCL, if not furnish records of provisions of applications and provisions of exemptions
17. Records of revocation of suspension order dated 8/6/2007 keeping shri Mahesh Kamat with immediate effect and from 8/6/2007 to 20/06/2008
18. List of records destroyed from files maintained by various depts. of KTCL from the records sought above.

  
(Shri Pradeep Kakodkar)

N/M





From:

Shri Mahesh Kamat  
Seasons Cooperative Housing Society  
Blossom, 101,  
Fatorda Murida Goa.

Date: 10/06/2018

OFFICE OF PUBLIC INFORMATION OFFICER KTC LTD Porvorim Goa Inward No. 23 Date 11/06/2018 Sign
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To

The PIO

Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information:

1. You have furnished the following information:

- Order KTC/PERS/(566) 2014-15/2569 dated 4/12/2014, as per which the action of revocation is taken with reference to the order of suspension bearing KTC/ADMN/1-1/ 2007-08//24 dated 8/6/2007.
- Copy of rule 10 (5) (a) of CCS CCA merging the order of suspension bearing KTC/ADMN/1-1/ 2007-08//24 dated 8/6/2007 into order of penalty in disciplinary proceeding dated 20/6/2008
- That Shri Goel was the Managing Director of KTCL till 31/08/2008

Furnish records of:

- Order of suspension issued by Shri Goel bearing no. KTC/ADMN/1-1/ 2007-08//24 dated 8/6/2007 suspending Mr. Mahesh Kamat from 8/6/2007 to 20/06/2008
- Order of penalty passed by Mr. Goel , dated 20/06/2008 corresponding to the above suspension order dated 8/6/2007

11/06/2018  
Sadhawan

3. Records of disciplinary proceedings corresponding to the order of penalty dated 20/06/2008 initiated by Shri Goel during the period 8/6/2007 to 20/06/2008
  4. Record of determination of suspension period from 8/6/2007 to 20/6/2008 and treatment of suspension period from the records / office of the Finance department
  5. Record of disciplinary authority sub delegated by Mr. Neto to Shri Kunkolienkar
2. You have furnished the following information:
- a. Order of compulsory retirement under FR 56(J) dated 19/7/2007
  - b. Order of compulsory retirement under FR 56(J) dated 20/6/2008
  - c. Board resolution 71/2007 and 43/2008 adopting a resolution to compulsorily retire Shri Kamat under Fr 56(J) in public interest.

Furnish with reference to the Board resolutions 71/2007 & 43/2008 the records of procedure followed by Shri Goel to implement the Board decisions:

1. Review committee report on the performance appraisal of Shri Mahesh Kamat with reference to resolution 71/2007 & 43/2008
2. Representation committee report on the representation filed by Shri Kamat against orders of compulsory retirement dated 19/7/2007 & 20/06/2008
3. Records of recommendations of review committee considered and adopted by the Board in respect of each order of compulsory retirement
4. Records of opinion formed by the Board based on the recommendations of the review committee against each order of compulsory retirement
5. Records of Boards decision to withdraw the order of compulsory retirement dated 19/7/2007 for reconsideration record of individual opinion of directors to chairman as per minutes of resolution 43/2008
6. Original notes on compulsory retirement from Shri Pawse and Shri Goel

7. Note on compulsory retirement from Shri Pawse dated 4/6/2007
8. Records of CRS scheme, notes dated 6/6/2007 on CRS initiated by Shri Pawse, note dated 19/7/14 from Asst. legal advisor enclosing note dated 6/6/2007 forming part of CRS proposal from the records / file of Finance department
3. Whether at any point of time or other since inception of KTCL in the year 1981 till date as per the service conditions FR 56(J) making a provision for premature retirement of employees, KTCL had constituted the review committee, representation committee. If yes furnish the constitution of such committees and constituent members from time to time. if not constituted at any time since inception , the factual position be confirmed.
4. You have provided me the information item No. 9 of 156<sup>th</sup> board meeting dated 4/4/2008 wherein the Board considered following records:
  1. Records of 4 suspensions prior to last suspension dated 8/6/2007
  2. Records of embezzlement of postal commission
  3. Records of alteration of Birth certificate of Shri Narhari Naik
  4. Litigation in the apex court between Shri Kamat and Shri kunkolienkarProvide copies and inspection of records which have been kept out of inspection produced before the state information commission on 12/3/2018

You have been repeatedly obstructing the flow of information on the standard plea that the information is not available, records offered for inspection and searched and taken cognizance by the appellant, hence furnish information with clarity that:

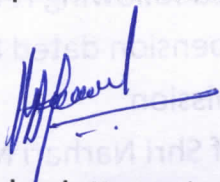
1. Whether the information/ record sought was at some point of time or other in the past was available or not available with KTCL :
  - a. If available in the past it is deemed that record continues to be held by KTCL, and you are bound to furnish it
  - b. If it is destroyed later, furnish the record of retention policy , administrative approval for destruction and minutes of destruction
  - c. If it is not destroyed but misplaced, then produce:
    1. Records of thorough search for the file not available

2. Records of disciplinary action and action under Public Records Act for loss of files

3. Reconstruct the records and furnish

d. If the record is not created at some point of time or other in the past and therefore not held, please confirm since, the applicant cannot prevail upon the PIO to create and furnish records which are not created by the public authority.

e. Provide the inspection of all files/ records other than those offered for inspection before the Hon. Information commission on 12/03/2018. In case no other file / record is created and maintained in the files, please confirm, the applicant cannot prevail upon the PIO to provide inspection of those files/ records not created and held by the public authority at some point of time or other.



(Mahesh Kamat)

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 51  
Date 1/8/18  
Sign

From:

Shri Sanjiv Phal Desai

House No. 306 /D

Pulamol, Behind st. Joseph High School

Gudi Chandor, Sao Jose De Areal

Curtorim Salcete Goa

Date: 31 / 07 / 2018

To

The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information

1. Whether any of the following records were available at any time in the corporation, if yes provide inspection
  - a. Suspension order dated 8/6/2007 suspending Shri Kamat from 8/6/2007 to 20/06/2008
  - b. Compulsory retirement of Shri Kamat dated 20/06/2008 imposing the punishment of compulsory retirement in disciplinary proceedings whereby merging the above mentioned suspension order into order of penalty under rule 10 (5) (a) of CCS CCA
  - c. Disciplinary proceedings / conduct of enquiry if any contemplated vide above mentioned suspension order
  - d. Records of disclosure of charges/ misconducts to the suspended officer, appointment of presenting officer and enquiry officer in the matter of contemplated disciplinary proceedings vide above referred suspension order
  - e. Resolutions/ administrative instructions/ rules constituting the review committee/ representation committee for the purpose of performance review of the employees under FR 56(J)



5

- f. Review report by the review committee identifying any employee as the dead wood for the purpose of FR 56(J)
- g. Opinion formed by the Board after considering the recommendations of the review committee to dispense with the services of the employee in public interest under FR 56(J)
- h. Order of compulsory retirement passed by the Managing Director after formation of the opinion on the basis of the recommendations of the review committee
- i. In the matter of compulsory retirement of Shri Mahesh Kamat under FR 56(J) in the 2007 & 2008:
  1. Original records (Not draft papers) on compulsory retirement in June 2007 by the Personnel Manager and Managing Director
  2. Suspension orders in excess two before suspension order dated 8/6/2007
  3. Records of litigation at the apex court between Shri Kamat and Shri Kunkolienkar, former employees of KTCL
  4. Records of alteration of birth certificates of Shri Narhari Naik
  5. Records of embezzlement of postal commission
2. Whether any disciplinary authority delegated to Shri Kunkolienkar to revoke the suspension dated 8/6/2007 to Shri Kamat, if yes with reference to suspension order with immediate effect or with defined suspension period from 8/6/2007, produce records
3. Records dealing with powers, if any of the Board & Managing Director to amend statutory acts of Fundamental rules & CCS CCA rules and records of amendments effected to FR 56(J) & CCS CCA by Managing Director/ other officers of KTCL.
4. Records generated in KTCL by MD & GM to determine the treatment of the suspension period under various suspension orders dated 8/6/2007
5. Records held by finance department to deal with final settlement under FR 56(J)
6. Records of administrative instructions / orders / directions incorporating exemptions / exceptions to the FR 56(J) service condition in KTCL

7. List of documents created by KTCL after each suspension order dated 8/6/2007 from 8/6/2007 till Dec 2014
8. List of documents created by KTCL during 2007/08 in the matter of compulsory retirement of Shri Kamat
9. If any of the above records are not available , please inform whether such records were available any time and if they were not available any time, please disclose whether they have been destroyed or misplaced
10. Whether any records dealing with suspension and compulsory retirement of shri kamat in the matter of suspension and compulsory retirement have been destroyed or misplaced. If yes furnish the record retention policy, record destruction approvals and minutes of the process of destruction, records governing the responsibility of the officers for protection of official records
11. Name the officer who is responsible for preservation of the records of the administration department
12. Provide complete records created and held by the Managing Director in the matter of compulsory retirement and suspension of Shri Kamat
13. Furnish the information obtained by PIO from the Managing director in the matter of this application
14. Furnish records in KTCL that spell out what is public interest and guidelines laid down for the authority to come to that opinion that it is in public interest to retire its employee before the due date of superannuation
15. Furnish the rule from the rule book of KTCL, rules dealing with stand revocation of suspension order and retrospective revocation of the suspension order
16. Furnish the record of authority delegated to the Managing Director to take disciplinary action against Shri Mahesh Kamat under CCS CCA Rules after the board had turned down imposition of major penalty vide resolution 71/2007.

You may seek clarification if any from me in writing.



(Sanjiv Phal Desai)

From:  
Shri Gautam Bene  
H. No. 361, Madevamodi  
Tilamol Quepem Goa  
Date: 14 / 08 / 2018

OFFICE OF PUBLIC INFORMATION OFFICER  
KTCL LTD  
Porvorim Goa  
Inward No. 62  
Date 14/8/2018  
Sign



To  
The PIO  
Kadamba Transport Corporation Ltd  
Porvorim Goa

Sir,  
Sub: information under RTI, Act.  
Furnish following information:

1. Whether any review and representation committee is constituted by KTCL in terms of FR 56 in the matter of premature retirement, if yes please state:
  1. The resolution No. under which the review committee and representation committee is constituted
  2. The constituent members of such committees since inception and changes from time to time since inception
  3. Records of review of performance in pre decisional stage and representation in the post decisional stage
  4. Records of consideration of the review committee reports and formation of opinion by the Board to dispense with the future services of the employee in public interest
  5. Records of consideration of the representation committee reports by the Board in the post decisional stage and their recorded opinion thereon
2. Records of resolutions/ delegating disciplinary authority to the officers below the rank of Managing Director as against the officers of KTCL



3. Records of sub delegation of the disciplinary authority by the MD to the subordinate officers in the matter of disciplinary action against the officers
  4. Records of suspension of shri Mahesh Kamat vide order dated 8/6/2007 suspending him from 8/6/2007 to 20/06/2008 and subsequent action taken against them in the matter of suspension and disciplinary proceedings
  5. Records of revocation , extension and disciplinary proceedings against the suspension order dated 8/6/2007 suspending shri Mahesh Kamat with immediate effect
  6. Note of compulsory retirement dated 4/6/2007 initiated by Shri T.K.Pawse
  7. Order of compulsory retirement dated 20/06/2008 imposing major penalty on Shri Mahesh Kamat in disciplinary proceedings
  8. Specific rules from the service conditions/ board resolutions governing the final settlement of the employees prematurely retired under FR 56(J)ie under CCS CCA or any other rules framed by KTCL executives/ whims & fancies of executive instructions
  9. Records that decided the treatment of suspension period under orders of suspension dated 8/6/2007 for final settlement , each order in respect of Shri Mahesh Kamat
  10. Records if any in respect of shri Mahesh Kamat
    - a. Record of embezzlement of postal commission
    - b. Record of alteration of birth certificate of Shri Narhari Naik
    - c. Record of litigation at apex court between shri Mahesh Kamat and Shri Vallabhdas Kunkolienkar
    - d. Record of four suspensions prior to suspension dated 8/6/2007
- Mr. Mahesh Kamat is my authorized representative, his contact no. 9421989190. For any clarification you may directly contact him. His submissions shall be binding on me.



(Shri Gautam Bene)

C. J. P. S.

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 60  
Date 10/08/18  
Sign

From:

Shri Ramnath T. S. Mauzekar

H. No. 40, Talewada

Velang, Mardol Ponda

Date: 10/08/2018

To

The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information from the service records of Shri Mahesh P. kamat, while he was in the employment of KTCL


1. Whether following service records were created or not created by KTCL in respect of above named person in the matter of his suspension:
  - a. KTC/ADMN/1-1/2007-08/24 dated 8/6/2007, suspension order suspending Mr. Kamat from 8/6/2007 to 20/06/2008, if yes records of review, modification, extension, revocation of suspension order
  - b. Records of disciplinary proceedings such as the charge sheet, appointment of enquiry officer, presenting officer, record of proceedings, finding of enquiry officer, exoneration or imposition of penalty and approval of the Board in case of imposition of major penalty and order of penalty in respect of (a) above.
  - c. KTC/ADMN/1-1/2007-08/24 dated 8/6/2007, suspension order suspending Mr. Kamat with immediate effect, if yes records of review, modification, extension, revocation of suspension order
  - d. Records of disciplinary proceedings such as the charge sheet, appointment of enquiry officer, presenting officer, record of proceedings, finding of enquiry officer, exoneration or imposition of penalty and approval of the Board in case of imposition of major penalty and order of penalty in respect of (b) above.



2. In respect of compulsory retirement under Fr 56(J), whether following records created or not created

1. Records of constitution of review committee for performance review of the employee, constituent members and change of members from time to time
2. Records of constitution of representation committee to consider the post decisional review, constituent members and change of members from time to time
3. Records of recommendations with respect to shri Mahesh Kamat as regards the performance review & recommendations of review committee
4. Records of post decisional review by the representation committee and their recommendations
5. Records of the consideration of the recommendations of above committees by the Board
6. Record of opinion not resolution formed by the Board to in the matter of compulsory retirement
7. Note of compulsory retirement dated 4/6/2007 initiated by Shri T.K.Pawse and submitted to Shri Goel
8. Original note undated, unsigned , unreferenced submitted by Shri Goel

If records are created, supply the information, if not created, say no and close the subject. Further clarification if any can be sought from me through correspondence at above address. You have to assist me in getting information, seeking assistance from concerned officer in the corporation; hence no demand of personal visits at your office should be made on me and provisions of third party information should be extended to me.

  
( Ramnath T. S. mauzekar)

From:

Mrs. Manjusha R. Mauzekar

H. No. 40, Talewada

Velang, Mardol, Ponda

Date: 31/08/2018

To

The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa

Sir,

Sub: information under RTI, Act.

Kindly furnish following information

17. Whether any of the following records were available at any time in the corporation, if yes provide inspection

- j. Suspension order dated 8/6/2007 suspending Shri Kamat from 8/6/2007 to 20/06/2008
- k. Compulsory retirement of Shri Kamat dated 20/06/2008 imposing the punishment of compulsory retirement in disciplinary proceedings whereby merging the above mentioned suspension order into order of penalty under rule 10 (5) (a) of CCS CCA
- l. Disciplinary proceedings / conduct of enquiry if any contemplated vide above mentioned suspension order
- m. Records of disclosure of charges/ misconducts to the suspended officer, appointment of presenting officer and enquiry officer in the matter of contemplated disciplinary proceedings vide above referred suspension order
- n. Resolutions/ administrative instructions/ rules constituting the review committee/ representation committee for the purpose of performance review of the employees under FR 56(J)
- o. Review report by the review committee identifying any employee as the dead wood for the purpose of FR 56(J)



OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 59  
Date 10/8/18  
Sign

2. full

- p. Opinion formed by the Board after considering the recommendations of the review committee to dispense with the services of the employee in public interest under FR 56(J)
- q. Order of compulsory retirement passed by the Managing Director after formation of the opinion on the basis of the recommendations of the review committee
- r. In the matter of compulsory retirement of Shri Mahesh Kamat under FR 56(J) in the 2007 & 2008:
6. Original records (Not draft papers) on compulsory retirement in June 2007 by the Personnel Manager and Managing Director
  7. Suspension orders in excess two before suspension order dated 8/6/2007
  8. Records of litigation at the apex court between Shri Kamat and Shri Kunkolienkar, former employees of KTCL
  9. Records of alteration of birth certificates of Shri Narhari Naik
  10. Records of embezzlement of postal commission
18. Whether any disciplinary authority delegated to Shri Kunkolienkar to revoke the suspension dated 8/6/2007 to Shri Kamat, if yes with reference to suspension order with immediate effect or with defined suspension period from 8/6/2007, produce records
19. Records dealing with powers, if any of the Board & Managing Director to amend statutory acts of Fundamental rules & CCS CCA rules and records of amendments effected to FR 56(J) & CCS CCA by Managing Director/ other officers of KTCL.
20. Records generated in KTCL by MD & GM to determine the treatment of the suspension period under various suspension orders dated 8/6/2007
21. Records held by finance department to deal with final settlement under FR 56(J)
22. Records of administrative instructions / orders / directions incorporating exemptions / exceptions to the FR 56(J) service condition in KTCL
23. List of documents created by KTCL after each suspension order dated 8/6/2007 from 8/6/2007 till Dec 2014

24. List of documents created by KTCL during 2007/08 in the matter of compulsory retirement of Shri Kamat
25. If any of the above records are not available, please inform whether such records were available any time and if they were not available any time, please disclose whether they have been destroyed or misplaced
26. Whether any records dealing with suspension and compulsory retirement of Shri Kamat in the matter of suspension and compulsory retirement have been destroyed or misplaced. If yes furnish the record retention policy, record destruction approvals and minutes of the process of destruction, records governing the responsibility of the officers for protection of official records
27. Name the officer who is responsible for preservation of the records of the administration department
28. Provide complete records created and held by the Managing Director in the matter of compulsory retirement and suspension of Shri Kamat
29. Furnish the information obtained by PIO from the Managing Director in the matter of this application
30. Furnish records in KTCL that spell out what is public interest and guidelines laid down for the authority to come to that opinion that it is in public interest to retire its employee before the due date of superannuation
31. Furnish the rule from the rule book of KTCL, rules dealing with stand revocation of suspension order and retrospective revocation of the suspension order
32. Furnish the record of authority delegated to the Managing Director to take disciplinary action against Shri Mahesh Kamat under CCS CCA Rules after the board had turned down imposition of major penalty vide resolution 71/2007.

You may seek clarification if any from me in writing.



(Manjusha Mauzekar)

From:

Mr. Jose C. M. D. Costa

House no 2

Gorvott Nuvem,

Salcete 403604

Date: 8/08/2018



To

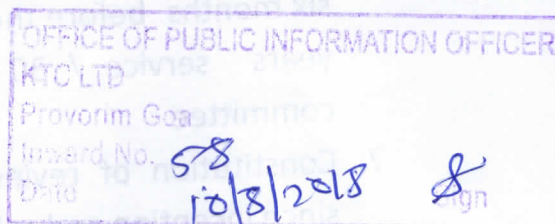
The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa

Sir,

Sub: information under RTI, Act.



Furnish following information if generated by the Kadamba transport corporation ltd.

1. In the case of compulsory retirement of Shri Mahesh Kamat under FR 56(J)
  - a. The procedures followed by the corporation such as:
    1. Constituent members of the review committee which reviewed the performance of service records
    2. Recommendations of the review committee to retire Shri mahesh before superannuation
    3. Boards acceptance and approval of the recommendations of the review committee
    4. Opinion formed by the Board to dispense with the future services of Shri Mahesh Kamat till his superannuation in public interest
    5. Constitution of representation committee and its members
    6. Recommendations of the representation committee
    7. Consideration of the recommendations of the representation committee
    8. Boards acceptance and approval of representation committee report and its opinion
  - b. Other records generated by KTCL :

1. Record of embezzlement of postal commission
  2. Record of alteration of birth certificate of Shri Narhari Naik
  3. Record of litigation at apex court between Shri Mahesh Kamat and Shri Vallabhdas Kunkolienkar
  4. Record of four suspensions prior to suspension dated 8/6/2007
  5. Records establishing above records having nexus with public interest
  6. The cases of KTCL officers covered under Fr 56(J) put up for review six months before they attain age of 50/55 years or complete 30 years service / 30 years of qualifying service to the review committee
  7. Constitution of review committee & representation committee since inception and subsequent changes to committees
2. In case of suspension of Shri Mahesh Kamat, procedural records generated by KTCL:
1. Record of action taken by the Disciplinary authority against suspension order KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 suspending him with immediate effect such as modification, extension, revocation, disciplinary proceedings till exoneration or imposition of major penalty with approval of the Board for imposing major penalty
  2. Record of suspension order KTC/ADMN/1-1/2007-08/24 dated 8/6/2007 suspending him from 8/6/2007 to 20/06/2008 and further action taken records of modification, extension, revocation, disciplinary proceedings till exoneration or imposition of major penalty with approval of the Board for imposing major penalty
  3. Record of authority for exercise of disciplinary authority by Shri Kunkolienkar as deemed revoked with identification of the suspension order at sr. 1 or sr. no 2 above which is deemed revoked
  4. Record of compulsory retirement dated 20/06/2008 imposed as a major penalty in disciplinary proceedings



5. Record of treatment of suspension period against each suspension order and record of determination of suspension period against suspension order at sr. no. 1
3. Other records
  1. Record of note on compulsory retirement dated 4/6/2007
  2. Record of original note on compulsory retirement dated 6/6/2007
  3. Record of original note on CR put up by shri Goel
  4. Record of rule of KTCL to effect the final settlement in case of CR under FR 56(J) ie rule of superannuation, rule of dismissal, rule of premature retirement or any other rule and not the Board resolution which adopted various rules above
  5. Record of individual opinions submitted by directors to chairman
  6. Record of withdrawal of previous decision vide resolution 71/2007
  7. The source of power if any acquired by Shri Dereck Pereira Neto to modify statutory rules
  8. Records of disciplinary authority delegated by Shri Neto to his subordinate officer Shri Kunkolienkar
  9. The records generated to justify the holding back of final settlement of Shri Kamat against the order of compulsory retirement from 2008 to 2014
  10. Records if any to show that any of above records /material was disclosed to the court in the writ petitions
  11. Records of authority that formed the opinion as below:
    1. The mind set of Shri Kamat vide letter dated 10/01/2006
    2. Unnecessary and unwanted activity vide letter 14/6/2007, 23/7/2007, 25/07/2007, 26/06/2008
    3. Attitude towards work and responsibility vide letter 22/2/2007
  12. Records justifying continuation of suspension vide order dated 8/6/2007 suspending shri kamat with immediate effect despite resolution 71/2007 of Board not to dismiss / retire shri Kamat in disciplinary proceedings.

13. Records if any justifying another order of suspension dated 8/6/2007 to 20/06/2008 , when one order of same date is pending action and against which the Board had decided not to initiate disciplinary proceedings

14. Records to show following records served on Shri Kamat:

1. Order of suspension dated 8/6/2007 suspending him from 8/6/2007 to 20/06/2008
2. Order of compulsory retirement in disciplinary proceedings dated 2/06/2008

If above records are not generated by corporation in the matter of suspension and compulsory retirement, the applicant be informed specifically that records sought by the applicant are not generated by KTCL and hence they cannot be supplied. No personal visit be imposed on the applicant. In case of compliance with third party information, it your discretion to deal with that. The entire records are in the domain of the Managing Director being the disciplinary authority. Any clarification as may be desired may be sought through correspondence.

*Abd.*  
(Jose D costa)

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Prov...  
Inward No. 54  
Date 2/8/18

From:

Shri Ulhas P. Chodnekar

CG, Kaustubh Appartment

Behind St Joseph High school

Aquem Margao



Date: 02 /08/2018

To

The PIO

Kadamba Transport corporation ltd

Paraiso De Goa Building

Alto Porvorim Goa

Sub: information under RTI, Act 2005

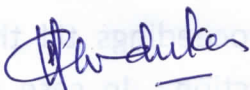
Kindly provide following information:

1. Shri Mahesh P. kamat was suspended by Shri Goel, MD vide order dated 8/6/2007 with immediate effect contemplating disciplinary proceedings. Furnish records of every future action taken against the order of suspension in terms of extension, modification, revocation. If no action is taken , state accordingly
2. In the matter of contemplated disciplinary proceedings vide above suspension order, furnish records beginning from charge sheet to enquiry findings to exoneration/ penal action. If no action of disciplinary proceedings is taken, inform accordingly
3. Mr. Mahesh Kamat was suspended vide order 8/6/2007 from 8/6/2007 to 20/06/2008 as suspension stands revocation order dated 4/12/14 issued by Shri Neto, MD. Furnish complete records of further steps taken against this order in the matter of extension/ closure/modification /revocation of suspension order and in the matter of disciplinary proceedings till the conclusion of proceedings into exoneration or penal action. In case of penal action, furnish the record of Board approval. If no further step is

taken in the matter of this suspension and disciplinary proceedings, state accordingly.

4. Shri V. V. S Kunkolienkar had deemed revoked the suspension order dated 30/06/2014. In this regard furnish the records of basis of disciplinary power exercised, and the reference point as to the suspension order ie issued by Shri Goel or referred by Shri Neto
5. Furnish records of duration of suspension period with respect to the suspension order issued by shri Goel and treatment of suspension periods in respect of each of the suspension orders referred above.
6. Furnish record of constitution of review committee and representation committees constituted by KTCL for the purpose of premature compulsory retirement under Fr 56(J) from the beginning and subsequent changes if any. If not created , state accordingly.
7. Furnish the record of review committee report and its consideration by the Board and opinion formed by the Board in respect of compulsory retirement of Shri Mahesh Kamat. If records are not created, state accordingly.
8. Furnish all records created between board resolution 71/2007 and order of compulsory retirement dated 19/7/2007 & resolution 43/2008 and compulsory retirement order dated 20/6/2008. If not created state accordingly
9. Furnish note of compulsory retirement initiated by Shri Pawse dated 4/6/2007. If not created, state accordingly.
10. Record of original notes in the matter of compulsory retirement of Shri kamat initiated by shri Pawse and Shri Goel.

I know that the information is about third party. Necessary steps may be taken at your end. For any clarifications, my presence in person should not be insisted. Clarifications if any shall be supplied through the post.



(Ulhas chodnekar)

OFFICE OF PUBLIC INFORMATION OFFICER  
KTC LTD  
Porvorim Goa  
Inward No. 53  
Date 21/8/18

From:

Shri Janardhan Poi Angle

BGS, /6

CD Patanga Building

Aquem Alto Margao

Date: 02 / 08 /2018

To

The PIO

Kadamba Transport Corporation Ltd

Porvorim Goa



Sir,

Sub: information under RTI, Act.

In the matter of Fr 56(J) retirement of Shri Mahesh Kamat following information be furnished:

1. The procedure followed under FR 56(J) from which the power is derived after adoption of resolution namely:
  - a. Constitution of review committee and representation committee
  - b. Performance review of service records by the review committee ie recommendations to retire the employee prematurely
  - c. Acceptance of review committee recommendations by the Board
  - d. Opinion formed by the Board that the employee is no longer no fit to be retained in service in public interest
2. Suspension order issued to shri Kamat suspending him from 8/6/2007 to 20/6/2008 and all records of further steps taken in the matter of suspension and disciplinary proceedings ending with exoneration or penal action
3. All records indicating the steps taken in the matter of suspension order dated 8/6/2007 suspending shri kamat with immediate effect and disciplinary proceedings terminating with exoneration or penal action
4. In respect of suspension deemed revoked by shri Kunkolienkar vide note dated 30/06/2014, it may be informed:

1. Deemed revocation is with respect of suspension order dated 8/6/2007 with immediate effect or with respect to suspension order dated 8/6/2007 with predefined suspension period from 8/6/2007 to 20/06/2008
2. The instrument which empowered shri Kunkolienkar as disciplinary authority and to perform statutory function of deemed revocation
5. The records to show the methodology followed by the corporation after resolution No. 71/2007 till order of compulsory retirement dated 19/7/2007 in respect of premature retirement of shri Mahesh kamat under FR 56(J)
6. The records to show the methodology followed by the corporation after resolution No. 43/2008 till order of compulsory retirement dated 20/06/2008 in respect of premature retirement of shri Mahesh kamat under FR 56(J)
7. Records of administrative instructions issued if any to substitute/ modify / amend any provisions of rule FR 56(J)
8. Records of resolutions passed if any to substitute/modify /amend any provision rule FR 56(J)
9. Records of first review committee and representation committee constituted in KTCL and subsequent revisions from time to time till date
10. Records defining the treatment of suspension period by the disciplinary authority in respect of each of the order of suspension dated 8/6/2007
11. Records to show the order of compulsory retirement for established misconducts in disciplinary proceedings dated 20/06/2008 issued to shri Mahesh Kamat
12. Record of specific order of revocation passed with respect to suspension order dated 8/6/2007 placing shri kamat under suspension with immediate effect

If above records are not created, I may informed accordingly. If records are created, they may be furnished. If records are destroyed, administrative approvals minutes of destruction be provided. If records are misplaced, records of enquiry into loss of records and reconstructed records be furnished.

