

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

CORAM: Shri Juino De Souza State Information Commissioner.

Appeal No. 189/SIC/2012 } 1616

Mr. Kapil C. Phadte,  
R/o. H.No.535,  
Saivado, Shirvodem,  
Margao – Goa.

..... Appellant

v/s

The State Public Information Officer,  
G.R.Kare College of Law,  
Tansore, Comba,  
Margao – Goa.

2. The First Appellate Authority,  
The Principal,  
G.R.Kare College of Law,  
Tansore, Comba,  
Margao – Goa.

..... Respondents

Relevant emerging dates:

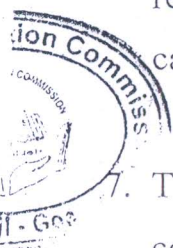
Date of Hearing : 04-05-2016

Date of Decision : 04-05-2016

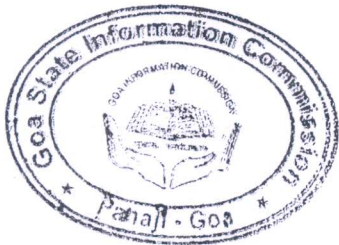
O R D E R

1. Brief facts of the case are that the Appellant vide his application dated 27/8/2012 sought certain information from Respondent PIO on 11 different points regarding an advertisement issued for recruiting teaching staff for the academic year 2013 viz total number of candidates applied for the post, certified copies of the application, certified copies of marksheets, etc.
2. The PIO vide his reply dtd. 24/9/2012 furnished information on 10 out of 11 points. Not being satisfied the Appellant preferred a First Appeal on 8/10/2012 and the FAA vide order dtd. 22/10/2012 disposed the appeal by furnishing other information as per requests made by the Appellant in the First Appeal.

3. The Appellant thereafter filed a Second Appeal dtd.15/11/2012 and the main grievance of the Appellant is that the information furnished by the Respondent PIO was vague and unsatisfactory and some information in serial no.8 was not disclosed.
4. The Appellant has sought to cast aspersions of collusion between PIO and FAA in a desperate attempt to protect the selection of certain Lecturer and in his prayer has sought directions that the PIO provide information as sought and also to impose fine on the PIO and FAA besides disciplinary action.
5. During the hearing the Appellant is represented by his relative Ruhi Phadte, who undertakes to file a letter of authority. The Public Authority is represented by the Respondent No 2 FAA Mr. Arun Nadkarni ( Principal) who is present in person.
6. The Respondent FAA submits that all information as sought for was provided to the Appellant as was available in the records and that the allegation of the Appellant with respect to information in point No. 8 regarding the criteria adopted by the selection panel in selecting the candidate for full time lecturer is unfounded and without any substance.
7. The Respondent contended that the selection procedure in self financing courses is purely the prerogative of the management and there is no fix criteria laid down. The Respondent requests the commission to dispose the old pending matter at an early date. The Representative for the Appellant on her part submits that the commission may pass an appropriate order and that information should be given and she has nothing further to say in the matter.
8. As stipulated in the RTI Act the role of the PIO is to provide information as available from the records. Regrettably the PIO cannot procure information for the satisfaction of the Appellant. The PIO is not authorized to give any information which is non-existent nor can he create or analyze the information correctly as per the whims and fancies of the Appellant.



9. It is not a case where the PIO has denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information.
10. The Commission on perusal of the records and also taking note of the submissions made by the Respondent comes to the conclusion that indeed all information as was available in the records of the Public Authority has been furnished to the Appellant. The Respondent has also clarified his stand vis-a-vis the allegation of the Appellant with respect to information sought at serial no 8 and as such nothing survives in the Appeal.
11. The Appeal is accordingly Dismissed. All proceedings in the appeal case are closed. Pronounced in open court before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of Order be given to the parties free of cost.



*Sd-*  
(Juino De Souza)  
State Information Commissioner