

GOA STATE INFORMATION COMMISSION

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

Appeal No. 41/SCIC/2015

Shri I. S. Raju,
H. NO.706, A, Acsona
Benaulim, Salcete-Goa.

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Appellant

V/S

- 1) Public Information Officer,
Primary Health Centre,
Cansaulim-Goa.
- 2) The First Appellate Authority,
Director of Health Services,
Campal, Panaji –Goa.

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Respondents

CORAM : Shri. Prashant S. P. Tendolkar State Chief Information Commissioner
Smt. Pratima K. Vernekar, State Information Commissioner,

Filed on : 24/03/2015

Disposed on : 16/12/2016.

1) FACTS:

a) The appellant by his non RTI application dated 29/11/2014 has requested the medical officer, Cansaulim for certain reliefs. He was directed by the Health Officer to make appropriate application under the Act as he has sought copies of the office records. In spite of giving him details his requirements he made reference only to some para's in his earlier non RTI applications. As the said application did not specify the particulars.

b) The appellant preferred appeal U/S 19(1) and the First Appellate Authority directed the PIO to furnish information vide his earlier non RTI application.

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c) It appears that the appellant is aggrieved and has filed the second appeal. Parties were notified the appellant initially appeared but subsequently opted to remain absent. Respondent No.1 filed reply as also the written submissions.

2) FINDINGS:

a) We have perused the records. Admittedly the application dated 29/11/2014 was a non RTI application putting certain facts. The said application could not be attended to as the same was not under the Act.

b) In the subsequent application though information was sought, it was not specific and it referred only to para's in the earlier application. Thus apparently there was vagueness in the application.

c) We have perused the records and it is found that several letters filed by the appellant are illegible. However in the application dated 20/12/2014 information was sought by referring to certain paras in earlier correspondence. Pursuant to the orders of the first appellate authority the PIO vide reply, dated 25/2/2015, has furnished the information to some of the points and regarding others it was informed that the information sought shall be provided and to some queries it is replied that the information sought does not come under purview of the act.

d) For the purpose of facilitate of the PIO the seeker should seek the information with clarity. Though an earlier application was moved the seeker cannot seek information with reference to the para's in such earlier applications. Earlier correspondence can be reference for seeking information but the applicant should be clear in his requirements so that PIO can understand the same and furnish the precise information as sought.

Though the FAA was courteous to help the appellant in securing information it was in the nature of collecting the information as per earlier application. This was a gesture of goodwill to help the applicant.

e) The act provides for imposition of penalty on PIOs in case of default either by delaying the information or non furnishing the same. To enable the PIO to comply with this mandate, a implied responsibility is also cast on the seeker to seek the information with clarity so that the PIO with minimum time can dispense.

In the present case the seeker wants PIO to search, infer and collate the information even by reading the mind of the seeker. Such an exercise cannot be left to PIO. It is also required to be mentioned that in this appeal also we find some of the writings totally illegible and also vague.

f) Considering the above circumstances, we hold that the application under section 6(1) of the act itself being vague no fault can be found with the PIO for not furnishing the information. Hence any relief of penalty cannot be considered.

In the circumstances we find no merits in the appeal and hence the same is dismissed.

The appellants is granted liberty to seek information by filing application seeking specific information with clarity from the PIO, if he wish so.

Notify the parties alongwith copy of this order.

Pronounced in the open proceedings.

Proceeding closed.

Sd/-
(Mrs. Prashant S. Prabhu Tendolkar)
State Chief Information Commissioner
Goa State Information Commission
Panaji-Goa

Sd/-
(Ms. Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission
Panaji-Goa