

GOA STATE INFORMATION COMMISSION

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

**Shri Prashant S.P. Tendolkar, State Chief
Information Commissioner,**

Appeal No.281/SIC/2010

Shri Suhas D. Naik,
Dy. Range forest Officer (South)
Territorial Division Qupem Range,
Quepem-Goa.

.... Appellant.

V/s

1) The Public Information Officer,
Additional Chief Conservator Forests,
Gomantak Maratha Samaj Buldg.,
Panaji –Goa.

2) The First Appellat Authority,
Conservator of Forest,
3rd floor, Junta House,
Panaji –Goa.

.... Respondents

Filed on: 15/12/2010

Disposed on : 07/03/2017

ORDER

1) As the appeal was file in 2010 and not taken up for a long time, parties were notified. On 17/02/2017 the appellant appeared but the PIO remained absent inspite of service. As the matter was old the same was taken on priority basis. In view of the absence of the parties I proceed to decide the present appeal based on the records.

2) The appellant by his application dated 06/09/2010 has sought information at 3 points. The PIO after the transfer of the said application to him under section 6(3) of the Act informed the appellant by furnishing the copies of minutes of the latest DPC meeting held for promotion of Dy. RFO and order dated 06/09/2010. PIO also submitted copy of the final Seniority list of Dy. RFO.

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With reference to point NO.3 it was informed by the PIO that the said information cannot be given as the inquiry was not finalized.

3) After exhausting the first appeal, the appellant approached this Commission. On going through the record it is found that according to PIO the information as sought at point No.3 is not existing hence cannot be given. Section 2(f) of the Right to Information Act provides for dispensation of information 'held' by Public authority or which "can be accessed" by public authority. In the present case according to PIO as the inquiry is not concluded such information does not exist and hence is not held. I find no illegality in the version of the PIO that the information cannot be given.

In the aforesaid circumstances I find no substance in the appeal or in the order passed by the FAA and hence this appeal deserve to be dismissed.

I therefore dismissed the present appeal.

Proceeding closed.

Pronounced in open proceeding.

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