

GOA STATE INFORMATION COMMISSION
'Kamat Towers' Seventh Floor, Patto, Panaji – Goa

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

Complaint No.29/2018/CIC

Shri Pratap A. Mardolkar,
R/o H. No.84, Nr. Dabolim Junction,
Post Dabolim Airport,
Alto Dabolim –Goa, Pin 403801. Appellant

V/s

The Public Information Officer,
Office of the Block Development Office,
Mormugao, Vasco Da Gama –Goa.
PIN: 403802 Respondents.

Filed on : /05/2018

Disposed on:10/08/2018

The below order is passed in the above matter on 10/08/2018.

“Take up before CIC:

Complainant present in person. Smt. Pratima Waradkar representing PIO present under letter of authority. Files an application seeking adjournment in the matter, said application is filed.

Clarification was sought from the complainant and complainant submitted that the information at point (1) of his application dated 30/10/2017 is furnished and that information at point(2) is not furnished to him till date.

This Commission after perusing the said application dated 30/10/2017 under section 6(1) filed by complainant, finds that the information at point 2 is in the nature of seeking reason for

...2/-

taking or not taking action in certain matter as referred therein. It is to be noted that the PIO is the custodian of information on behalf of the authority and not the creator of information and hence cannot vouch for veracity or the reasons for existence or non existence of information and is required to furnish the information which exist. Hence considering the ratio laid down by the Hon'ble supreme court in the case of Central Board of Secondary Education V/S Aditya Bandopadhaya (Civil Appeal no.6454 of 2011, the said requirement cannot be considered for the purpose of granting information under the act.

Considering the above position this commission find no merits in the complaint and consequently the same is not sustainable hence dismissed. However the rights of the complainant to seek any further information with reference to the information received by him to point 1, or any further information are kept open. Proceedings closed.

Parties be also notified.

Pronounced in the open proceeding."

Sd/-

(Mr. Prashant S. P. Tendolkar)

State Chief Information Commissioner

Goa State Information Commission

Panaji-Goa