

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

Appeal No. 143/2018/SIC-I

Shri Shrikant S. Vengurlekar,
H.No.92, Deulwada,
Korgaon Pernem Goa 403512.

....Appellant

V/s

1) The Public Information Officer,
Vikas High School,
Valpe Virnoda, Pernem Goa

2) First Appellate Authority,
Deputy Director of Education,
North Education Zone,
Mapusa Goa.

.....Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 12/06/2018

Decided on: 14/08/2018

ORDER

1. The 2nd appeal came to be filed by the appellant Shri Shrikant Vengurlekar on 12/6/2018 against Respondent no 1 PIO of Vikas High School at Virnoda, Pernem, Goa and as against respondent no 2 FAA u/s (3) of sec 19 of RTI Act, 2005.
2. The brief fact leading to the present appeal are that the appellant by his application dated 06/01/2018 filed under section 6(1) of RTI Act, 2005 sought a certain information on 3 points as stated therein in the said application from the respondent no 1 PIO.
3. It is the contention of the appellant that he received a letter dated 08/02/2018 calling upon him to collect information and

he in pursuant to the said letter of the Respondent no 1 visited the said school on 17/02/2018 and the respondent no 1 PIO vide the letter dated 17/2/18 informed him that his request is not specific. Deeming the same as rejection, the appellant filed 1st appeal on 26/2/18 before the Director of Education, North Zone, at Mapusa being FAA and the Respondent No 2 FAA by an order dated 26/3/18 allowed his appeal and directed respondent no 1 PIO to furnish all the information as requested by the appellant vide his application dated 06/01/2018 within 10 days of the receipt of the order.

4. It is the contention of the appellant , the respondent no 1 PIO did not furnish him the documents / information as sought by him.
5. In the above background the appellant have approached this commission thereby seeking directions for furnishing the information sought by him vide his letter dated 06/01/2018.
6. After notifying the parties, the matter was taken up on board and listed for hearing.
7. In Pursuant to notice of this commission, appellant appeared in person. Respondent No 1 PIO was represented by Adv. Abhijit Gosavi and Respondent No 2 was represented by Shri Dayanand Chawdekar.
8. Reply filed by PIO on 03/08/2018. The copy of the same was furnished to the appellant. Arguments were advanced by both the parties.
9. Vide reply dated 03/08/2018 and vide arguments the Advocate for respondent No 1, submitted that since the application filed by the appellant was generic and Vague and as the appellant has not specified particular of issuing authority of said notices or in respect to the particular occasion/events, it was not possible for PIO to furnish the information and until and

unless specific and precise request is made the same could not have been also provided.

10. The advocate for respondent further contended that respondent no 2 FAA completely ignored the fact that the information sought was vague and generic and as such no precise information could be provided and as such respondent no 2, errerd in passing an order without considering the submissions made by the respondent no 1 PIO. He further contended that the respondent no 1 PIO has also preferred an appeal before this commission against the order of the FAA dated 26/3/18. In support of his case he relied upon the judgement passed by the Hon'ble High Court of Delhi in writ petition (C) 406/2016 'Shail Sahni' v/s Smt Valsa Sara Mathew and others.
11. The advocate for respondent further submitted that the appellant has been filing various application seeks vague, generic, voluminous information with a vested interest with sole intension of harassing the respondent no 1 and for settling of person scores.
12. Advocate for PIO's submitted that there was no malafied intention on the part of PIO to deny the same, if the specific details are given the same may be considered and available information will be provided.
13. The appellant fairly admitted that information sought by him vide application dated 6/01/2018 is not very specific and has not specified to whose notice he is referring to and further agreed to file fresh application by specifying the details pertaining to said notices of issuing authorities.
14. Since the information sought by the appellant vide his application dated 06/01/2018 is vague and not very specific, no directions can be issued to respondent no 1 for purpose providing the said information consequently the appeal filed by

the appellant deserves to be dismissed. However the right of the appellant to file a fresh application pertaining to same subject matter with the PIO prioritising his requirement and specifying the precise information he wants is kept open. If the same is filed the PIO may deal the same in accordance with law.

The appeal disposed accordingly, proceedings stands closed.

Notify the parties.

Pronounced in the open court.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Sd/-

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