

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

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Appeal No. 271/2022/SCIC

Pandhari P. Prabhu,
H.No. 882/1, Vaseru, Panchame,
Priol, Mardol, Ponda-Goa.

.....Appellant

V/S

1. The Public Information Officer,
Working Plan Division, Forest Department,
Goa Van Bhavan,
Althinho, panaji-Goa 403001.

2. The First Appellate Authority,
Conservator of Forests (Conservation),
Forest Department,
Goa Van Bhavan,
Althinho, panaji-Goa 403001.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 19/10/2022

Decided on: 24/02/2023

FACTS IN BRIEF

1. The Appellant, Shri. Pandhari P. Prabhu r/o. H.No. 882/1, Vaseru, Panchame, Priol, Mardol, Ponda-Goa vide application dated 11/05/2022 filed under the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought information on 8 points from the Public Information Officer (PIO), the Deputy Director (Administration), Principal Chief Conservator of Forests, Althinho, Panaji-Goa.
2. The office of Deputy Director (Administration), Principal Chief Conservator of Forests transferred the said application to the PIO, Deputy Conservator of Forests, Working Plan Division, Althinho, Panaji-Goa on 18/05/2022 requesting to furnish the information to the Appellant directly.
3. The PIO of the Deputy Conservator of Forests, Working Plan Division, Goa Van Bhavan, Panaji responded to the Appellant on 29/06/2022 in the following manner:-

Sr.No.	Question	Answer
1.	Joining date after deployed of the Forest Guards who were deployed for the review work of Private Forest identified by Sawant & Karapurkar Committee.	Copy available in 5 pages.
2.	As per order all Forest Guards were joined or not if not name of the Forest Guards action taken on them for not joining. If no action taken, provide details for not taking necessary action.	This Question is not specified.
3.	Details of work done by each Forest Guard who were deployed by the Working Plan Division for the work of completion of the review work of Private Forests identified by earlier Sawant & Karapurkar Committee.	Hence the information is voluminous you may ask for specific information.
4.	Time given by Hon'ble NGT to finalize the report/ to complete the work of Private Forests identified by earlier Sawant & Karapurkar Committee.	The Report has been submitted to Hon'ble NGT on 29.04.2022.
5.	Have the work of Private Forests identified by earlier Sawant & Karapurkar Committee completed or yet to complete, if completed then Forest Guards have been relieved by the Working Plan Division, if yes provide copy, if not give reason for not relieving.	Identification of Private Forests is still in progress as per NGT order.

4. Being aggrieved for providing part of the information and not satisfied with the reply of the PIO, the Appellant filed first appeal before the Conservator of Forests, Altinho, Panaji-Goa being the First Appellate Authority (FAA).

5. The FAA vide its order dated 03/08/2022 partly allowed the first appeal and directed the PIO to provided a modified / correct reply

on point No. 3,5 and 7 and also directed to provide the copy of the order within 15 days.

6. Since the PIO failed and neglected to comply the order of the FAA dated 03/08/2022, the Appellant landed before the Commission by this second appeal under Section 19(3) of the Act.
7. Notices were issued to the parties, pursuant to which Appellant appeared in person on 06/12/2022. Representative of the PIO Shri. Dilesh Gawas Dessai appeared on 05/01/2023. The PIO filed his reply alongwith the bunch of documents through entry registry on 04/01/2023. Representative of the FAA, Shri. Jose Colasco appeared on 05/01/2023 and submitted that he does not want to file any reply in the matter. The copy of the reply alongwith the document has been furnished to the Appellant on 05/01/2023. The Appellant sought time to scrutinise the information provided by the PIO and matter was posted for clarification/ order on 06/02/2023.
8. Shri. Dilesh Gawas Dessai, APIO in the course of argument on 06/02/2023 pointed out that, upon the direction of the FAA, he supplied additional information at point No. 03, 05, 06 and 07 by modifying his earlier reply, which reads as under:-

Sr.No.	Question	Answer
3.	As per order all Forest Guards were joined or not if not name of the Forest Guards action taken on them for not joining. If no action taken, provide details for not taking necessary action.	Copy available in 1 page (Annexure – A) However, Shri. Yoguish Gagaram Shet Dhumaskar under Managing Director, Goa Forest Development Corporation Ltd. Panaji did not join in this division. No, further records are available in this office.

5	Details of work done by each Forest Guard who were deployed by the Working Plan Division for the work of completion of the review work of Private Forests identified by earlier Sawant & Karapurkar Committee.	Copy available in 2 pages (Annexure – B)
6	Time given by Hon'ble NGT to finalize the report/ to complete the work of Private Forests identified by earlier Sawant & Karapurkar Committee.	Time given by Hon'ble National Green Tribunal in March 2019. (Annexure-C)
7	Time given by Hon'ble NGT to finalize the report / to complete the work of Private Forests identified by V.T. Thomas & F.X Araujo Committee.	Copy available in 2 pages (Annexure – A)

According to APIO he complied the order of the FAA dated 03/08/2022 and furnished the modified reply and furnished complete information to the Appellant on 19/10/2022 and again on 05/01/2023.

9. Upon receiving the reply and information on 05/01/2023, the Appellant did not remain present for further hearings viz on 06/02/2023 and 24/02/2023 or rebutted the contention of the APIO. I therefore presume and hold that, the Appellant is satisfied with the information provided by the PIO. Accordingly the appeal is disposed off.

- Proceeding closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner