GOA STATE INFORMATION COMMISSION
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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Complaint No. 28/2023/SIC

Shri. Ulhas R. Mainikar,
H.No. 170/3, Pethwada, Kudnem,
Bicholim- Goa 403505. ------Complainant

v/s

The Public Information Officer,
Sidharaj U. Gawas,
Awal Karkun,
O/o The Deputy Collector & SDO,
Bicholim- Goa 403505. ------Opponent

Relevant dates emerging from appeal:

RTI application filed on	: 26/08/2022
PIO replied on	: 23/09/2022
First appeal filed on	: 04/10/2022
First Appellate Authority order passed on	: 02/03/2023
Second Appeal received on	: 06/01/2023
Second Appeal disposed on	: 25/05/2023
Complaint received on	: 14/08/2023
Decided on	: 27/02/2024

O R D E R

1. The Complainant herein has filed the present complaint under Section 18 of the Right to Information Act, 2005 (hereinafter referred to as the 'Act'), against Opponent Public Information Officer (PIO), Shri. Sidharaj U. Gawas, Awal Karkun, Office of the Deputy Collector and S.D.O., Bicholim-Goa.

2. It is the contention of the complainant that, the PIO has not complied with the order of the Commission dated 25/05/2023. The Complainant contends that, the PIO was directed by the Commission to provide inspection of relevant records with respect to the information the complainant had sought, however, the PIO provided only part records and remaining information was not made available for inspection. Being aggrieved by the said act of the PIO, the complainant has appeared before the Commission.

3. Notice was issued to both the sides, pursuant to which, Shri. Sidharaj U. Gawas, PIO appeared in person and filed reply dated 03/10/2023. Complainant appeared in person and filed rejoinder dated

28/11/2023, to the reply of the PIO. Arguments of complainant as well as PIO were heard on 21/02/2024.

4. PIO stated that, he was directed by the Commission to provide inspection and information which is not exempted from disclosure under Section 8 or 9 of the Act. Accordingly, the complainant was requested to visit PIO's office and upon inspection conducted on 26/07/2023, information identified by the complainant was furnished. Information with respect to the attendance register and leave record of Shri. Pravin A. Shetkar was not furnished since the said information, desired by the complainant does not exist in the records of the PIO.

5. PIO further stated that, no disobedience was done on his part with respect to the order passed by the Commission and that, eligible information was provided. PIO further contended that personal file of Shri. Pravin A. Shetkar, as required by the complainant was provided for inspection even earlier. That, the complainant has been seeking repetitive information on the same subject matter and the said information pertains to specific officer against whom he has personal grievance. Hence, the information is not sought in any larger public interest, but only with an intention of settling personal grievance.

6. Complainant submitted that, he was seeking the said information in larger public interest and the PIO is denying him the inspection of part information intentionally, only to harass the complainant. That, he has received similar information from other public authorities, earlier, thus, he deserves the remaining information from the PIO.

7. Complainant further contended that, though the PIO says that he has complied with the order of the Commission, he has not provided all records for inspection. Hence, he prays for appropriate penal action against the PIO.

8. The Commission has perused the available records of the present complaint. Upon careful perusal, it is seen that, the complainant had sought information on 21 points and most of the information was with respect to service and work record of Shri. Pravin A. Shetkar. It was held by the Commission vide order dated 25/05/2023 that the said information is voluminous and to search and gather the said information will involve lots of time of the PIO and his subordinates. The Commission further, had observed that, the complainant has made indiscriminate requests for voluminous information without specifying the larger public interest in seeking the said information.

9. It is seen that, the complainant mentions that he is seeking the said information in larger public interest. However, the complainant nowhere has elaborated on the connection of the said information with any public interest. Mere saying that the information is being sought in larger public interest is not sufficient, but the complainant was required to establish the relation between the said information and public interest, which he has failed. Thus, the Commission finds substance in the contention of the PIO that there is no public interest involved in the disclosure of certain information, sought by the Complainant.

10. Nevertheless, it is seen that, the PIO upon receipt of the order dated 25/05/2023, passed by the Commission while disposing Appeal No. 10/2023/SIC, had provided inspection of the available records, to the complainant. The PIO was directed vide the said order, to provide inspection and furnish the identified information, as available in his records, after receiving requisite charges against the information. The PIO has accordingly complied with the order. Thus, it is held that, there is no substance worth deciding in the present complaint and the complaint needs to be decided accordingly.

11. In the light of above discussion, the Commission finds no merit in the present complaint, hence, the same is disposed as dismissed and the proceeding stands closed.

Pronounced in the open court.

Notify the parties.

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/-
Sanjay N. Dhavalikar
State Information Commissioner
Goa State Information Commission,
Panaji-Goa.