

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 02/SIC/2010

Satish V. Sawant,
Varchawada-Sarvan,
Bicholim – Goa

... Appellant.

V/s.

- 1) Public Information Officer,
Government Higher Secondary School,
Sanquelim – Goa ... Respondent No. 1.
- 2) First Appellate Authority,
Director of Education,
Panjim – Goa ... Respondent No. 2.

Adv. Amol Sawant for the Appellant.
Respondent No. 1 in person.
Respondent No. 2 in person.

J U D G M E N T

(Per Afonso Araujo)

The Appellant on 18.04.2009 sought information under the RTI Act and requires certified copies of the :

- (1) Total number of watchmen presently working in the College/Institution, their name, age, address, qualifications and experience.
- (2) Details of their duties, works allotment order, time of shift, number of hours of work, weekly off and holidays, etc.
- (3) Attendance register of last three months.

2. The Respondent No. 1 by communication dated 12.05.2009 provided the information required in the request dated 18.04.2009. Not satisfied with some of the information provided, the Appellant preferred the First Appeal and on

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07.10.2009 the First Appellate Authority directed the Respondent No. 1 to provide the information within five days free of cost. As the Respondent No. 1 did not comply with the Order the Appellant preferred this Second Appeal.

3. The grievance of the Appellant is that the details of their duties mentioned at Sr. No. 2 and in reference to number of hours of work and weekly off and holidays, the Respondent No. 1 has not produced copies of the relevant documents. In fact, in the communication dated 12.05.2009 the replies given to the number of hours of works is as per the Government rules and in regard to weekly off and holidays, the reply is fortnightly off and national and any public holiday would be adjusted with compensatory off. The reply of the Respondent No. 1 in compliance to the Order dated 07.10.2009 of the First Appellate Authority, to the query of number of hours of works is twelve hours and to the query regarding weekly off and holidays the reply is fortnightly off and national and some public holidays would be adjusted with compensatory off and that the copy of that circular was not available in the office.

4. Since the information sought by the Appellant pertains to the details of the watchmen in the educational institution and requires copies of the documents indicating number of hours of work, weekly off and holidays, the Respondent No. 1 should substantiate with documents the replies given to the queries raised at Sr. No. 2 in respect to number of hours of work and weekly off and holidays. The Respondent No. 1 has to provide the basis upon which the reply states that number of hours of work is twelve hours and the reply to weekly off and holidays is fortnightly off and national and some public holidays to be

adjusted with compensatory off. In the absence of such documents it cannot be said that the information was provided to the Appellant. In such circumstances the following order:

ORDER

The Appeal is partly allowed. The Respondent No. 1 to provide information to the request of Appellant dated 18.04.2009 at Sr. No. 2 by way of records only in respect of number of hours of work and weekly off and holidays of watchmen.

The Respondent No. 1 to provide the information within a period of twenty days from the date of receipt of the Order.

Pronounced on this 09th day of June, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner