

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 32/SIC/2010

Shri Sebastian Araujo,
H. No. 221, St. Lawrence,
Agassaim, Baixo de Igreja,
Ilhas – Goa

... Appellant.

V/s.

1) Public Information Officer,
Under Secretary (Personnel),
Department of Personnel,
Secretariat,
Porvorim – Goa

... Respondent No. 1.

2) First Appellate Authority,
Joint Secretary (GA),
Secretariat, Porvorim,
Bardez – Goa

... Respondent No. 2.

Appellant alongwith his Adv. Amol Sawant.
Smt. H. Naik for Respondent No.1.

01.07.2010

ORDER

The Appellant on 10.08.2009 sought information under RTI Act from the Respondent No. 1 and requires: (!) Name and designation of Grade I Officers of Goa Civil Services who were on sick leave from 01.06.2009 to 31.07.2009. (2) The validity of any orders/memorandum/official correspondence made by them during such leave period. (3) Action provided for undertaking authoritative official work during the period of sick leave.

2. By communication dated 09.09.2009 the Respondent No. 1 provided the information at Sr. No. 1 and in respect of information at Sr. No. 2 and 3, requested the Appellant to clarify the exact information required. The Appellant on

...2/-

23.09.2009 and in reference to the reply of the Respondent dated 09.09.2009 clarified the information sought at Sr. No. 2 and 3. The Respondent No. 1 by letter dated 13.10.2009 provided the information at point No. 2 and 3 by giving the copy of the relevant rule. Not content with the information provided the Appellant preferred the First Appeal and by Order dated 22.02.2010 the First Appellate Authority directed the Respondent No. 1 to furnish correct information at Sr. No. 2 and 3 of the request dated 10.08.2009. This is the Impugned Order.

3. The information which any Public Authority is required to provide under RTI Act is from the records available with the Public Authority. The manner the Appellant sought information at Sr. No. 2 is in the form of opinion wherein the Appellant requires to know whether any order/memorandum/official correspondence made by an Officer during the sick leave period is valid or not. Such opinion of the Public Information Officer is not information within the meaning of information under the RTI Act. At the most, the Appellant can ask whether there is any rule or circular or memorandum by which any Officer can issue any order/memorandum/official correspondence during the sick leave period.

In such circumstances, the Appellant to approach the Respondent No. 1 with a proper application seeking the information required.

With these observations the Appeal is disposed off.

Pronounced on this 07th day of July, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner