

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri M. S. Keny, State Chief Information Commissioner

Complaint No. 493/SCIC/2010

Mr. Ashok N. Bhosale,
Kavathe Mahankal,
Dist. Sangli (M/S.) 416 411,
Maharashtra

..... Complainant.

V/s.

1) First Appellate Authority,
Dy. Director,
Department of Education,
Government of Goa,
Panaji – Goa

..... Opponent No. 1.

2) Public Information Officer,
Headmaster & Chairman,
Mata Secondary School No. 1,
Baina,
Vasco-da-Gama, Goa

..... Opponent No. 2.

Complainant in person.
Opponent No. 1 absent.
Opponent No. 2 in person.

ORDER
(11-10-2010)

1. This is a Complainant filed by the Complainant, Ashok N. Bhosale, praying that Public Information Officer-I and Public Information Officer-II be compelled to provide correct adequate information; that penalty be imposed and also for disciplinary action.

2. The brief facts leading to the present Complaint are as under:

That the Complainant vide his letter dated 12.07.2010 sought certain information. However, Opponent No. 2 furnished incomplete information. That the Complainant also referred to resignation letter and discrepancy therein. It is the case of the

...2/-

Complainant that service book is incomplete and not properly maintained upto year 2010 and G.P.F. Account is also incomplete. Being not satisfied with what is furnished the Complainant has filed the present Complaint.

3. In pursuance of the notice both the Opponents remained present and sought some time to file reply. Today when the matter came up for hearing it was decided to hear the same. The Complainant comes from Pune.

4. Heard both sides, that is Complainant and Opponent No. 2. and perused the records.

The main grievance of the Complainant is that the information that is furnished is incomplete. According to the Complainant his service book is not properly filled and G.P.F. Account is also not upto date.

Incidentally the Opponent No. 2 had brought the original records of the School. The same were checked in the presence of Complainant and the Opponent No. 2 and it was found that the same were correct, i.e. copies given were as per the original. Under the R.T.I. Act PIO has to furnish the information as is available in material form. P.I.O/Opponent cannot simply fill and give. He is supposed to furnish only available information. When shown the originals vis-avis the copies furnished the Complainant was satisfied. However, his grievance remains that service book and G.P.F. individual ledger are not updated.

5. The jurisdiction of this Commission ends upto here.

The Complainant states that he is poor and coming from Poona and that he has his family to maintain. He wishes to put these things in order, i.e. updating the said records. Poverty is society's malady and not sternness but little sympathy ought to be Commission's response. Incidentally Opponent No. 1 is Dy. Director of Education. Purely on humanitarian grounds this Commission urges and requests the Opponent No. 1 and/or Director of Education to look into the matter.

6. The Opponent No. 1/Director of Education to see that Opponent No. 2 Headmaster of the School is requested/directed to update the service book till this date and also to update the G.P.F. Individual Ledger upto September/October 2010. This should be done strictly in accordance with law so that troubles and woes of the Complainant are solved. This is a request purely on a humanitarian ground. Moreover person concerned is from education field. Long back Gandhiji observed "justice without generosity shall easily turn into Slylock's justice."

7. In view of the above no further intervention of this Commission is required. Hence the Order:

O R D E R

With the above observations in para 5 and 6 no further intervention of this Commission is required. The Complaint is disposed off.

Pronounced in the Commission on this 11th day of October, 2010.

Sd/-
(M.S. Keny)
State Chief Information Commissioner

