

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Appeal No. 143/SCIC/2011

I. S. Raju,
H. No. 706/A, Acsona,
Pendolpem, Benaulim,
Salcete - Goa

.... Appellant

V/s.

1) Public Information Officer,
Addl. Director of Vigilance,
Panaji - Goa

.... Respondent No. 1.

2) First Appellate Authority,
Director of Vigilance,
Altinho,
Panaji - Goa

.... Respondent No. 2.

Appellant in person.

Respondent No. 1 in person.

J U D G M E N T
(27.09.2011)

1. The Appellant, Shri I. S. Raju, has filed the present Appeal on the ground that no information has been furnished by the Respondent No. 1 and that to furnish the information.

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

That the Appellant, vide his application dated 12.03.2011, sought certain information from the Public Information Officer (PIO)/Respondent No. 1. That by letter dated 24.03.2011 the PIO furnished the reply stating that the letter has remained unprocessed. Being not satisfied by the reply given by the PIO the Appellant filed the Appeal before the First Appellate Authority (FAA)/Respondent No. 2. It is the case of the Appellant that FAA/Respondent No. 2 has not given any reply and remained inactive and insensitive. Hence the present Appeal.

3. The Respondent No. 1 resists the Appeal and the reply is on record. It is the case of the Respondent No.1 that pursuant to request for information under RTI Act made by the Appellant vide his application dated 12.03.2011 the Respondent No.1 has processed the same and has furnished the information available as per records of the office as on

relevant date. According to the Respondent No. 1 the Appeal is liable to be dismissed.

4. The Appellant has filed reply dated 16.09.2011 which is on record. According to him the information furnished is incorrect, incomplete and misleading and that action may be initiated under the provisions of the Act.

5. Heard the Appellant and the Respondent No. 1 and perused the records.

It is seen that by application dated 12.03.2011 the Appellant sought certain information. That information as regarding action taken, status and disposal of the application dated 25.01.2011. I have perused the said application dated 25.01.2011.

The reply furnished is as under:

“With reference to your application dated 12.03.2011, it is informed that your said referred complaint/letter dated 25.01.2011 has remained unprocessed.”

That means no action was taken on that particular day. So the information was furnished.

It is seen that Appellant preferred Appeal before F.A.A. It is contended that the Appeal is not decided. It is unfortunate. The F.A.A. is bound to dispose the Appeal within 30 days or by extended period of 15 days but for that F.A.A. should give reasons. Hope in future the F.A.A. will take note of the same.

6. The Appellant contends that information furnished is incorrect, incomplete and misleading. The Appellant refers “The same has remained unprocessed”. As per reply dated 24.03.2011 “..... complaint/letter dated 25.01.2011 remained unprocessed” is clearly mentioned. What is mentioned in para 4 of the reply what is processed is that application seeking information. Therefore it cannot be said as incomplete or misleading. Good or bad information is furnished. Under R.T.I. whatever information held is to be furnished.

7. In view of the above since information is already furnished no intervention of this Commission is required. Hence, I pass the following Order:

ORDER

No intervention of this Commission is required as information is furnished. The Appeal is disposed off.

The Appeal is accordingly disposed off.

Pronounced in the Commission on this 27th day of September, 2011.

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

