

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

**Appeal No.110/SCIC/2011**

Shri Joao C. Pereira,  
H.No.40,  
Acsona Utorda,  
Majorda, Salcete-Goa

... Appellant

**V/s**

1. The State P.I.O.,  
Dy. Director of Administration,  
O/o.Principal Chief Engineer,  
P.W.D. Altinho,  
Panaji-Goa
2. The F.A.A., Shri U. P. Lawande  
Superintending Surveyor of Works,  
P.W.D. Altinho,  
Panaji-Goa

... Respondents

Appellant in person.

His representative Shri Jowett D'Souza present

Respondent absent.

A.P.I.O. Carmina D'Souza present.

**J U D G E M E N T**

(30/11/2011)

1. The appellant, Shri Joao C. Pereira, has filed the present appeal praying that the order passed by the F.A.A. be quashed and set aside; that the respondent No.1 be directed to furnish the information to the appellant as sought vide application dated 22/1/2011 and that disciplinary proceeding be initiated.

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

That the appellant, vide application dated 22/1/2011, sought certain information under Right to Information Act, 2005 ('R.T.I.' Act for short) from the Public Information Officer (P.I.O.)/respondent No.1. That by reply dated 17/2/2011 the respondent No.1 denied the information citing reasons that "the same is required to be created and not readily available and as such does not come under the purview of R.T.I. Act, 2005". That being aggrieved the respondent No.1 preferred an appeal before the First Appellate Authority (F.A.A.)/Respondent No.2. That by order dated 15/4/2011 the appeal was dismissed upholding the reply of the respondent No.1. Being aggrieved by the said order the appellant has preferred the present appeal on various grounds as mentioned in the memo of appeal.

3. It is the case of the respondent No.1, as set out in the reply, is that the information sought was to furnish the names alongwith designation and addresses of Hindus, Catholic, Muslims and other religion candidates recruited/employed in P.W.D. by Public Works Department from the year 2007 till date each separately as per religion from North Goa and South Goa yearwise and also total strength of staff in P.W.D. as per religion separately i.e. Hindus, Muslims and other religion candidates as on 30/12/2010. It is the case of the respondent No.1 that the information sought by the appellant is not readily available and as such the same does not come under the purview of the Act. According to the respondent the appeal is liable to be dismissed.

4. Heard the appellant as well as Smt. Carmina D'Souza, representative of respondent No.1 and perused the records.

It is seen that the appellant vide application dated 22/1/2011 sought certain information. By reply dated 17/2/2011 the appellant was informed that information sought

was required to be created and not readily available and hence does not come under the purview of R.T.I. Act. Being aggrieved the appellant preferred the appeal before F.A.A. By order dated 15/4/2011 the appeal was dismissed.

5. It appears from record that subsequently by letter dated 14/11/2011 the appellant was called to collect the information. The same was furnished to him.

During the course of his arguments the appellant submits that he has received the information and he is satisfied with the same and that he has no grievance of any sort.

6. Since information is furnished no intervention of this Commission is required. Hence I pass the following order.

### **O R D E R**

No intervention of this Commission is required. The appeal is disposed off.

The appeal is accordingly disposed off.

Pronounced in the Commission on this 30<sup>th</sup> day of November, 2011.

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



