

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

**Complaint No.146/SIC/2011**

Shri C. S. Barreto,  
R/o.H. No.206, Mazalvaddo,  
Assagao, Bardez-Goa

... Complainant

V/s.

The Additional Collector  
Public Information Officer,  
O/o. the Collector, North,  
Vigilance Branch,  
Panaji-Goa

... Opponent

Complainant present

Opponent absent

Shri A. Chopdekar representative of opponent present.

**ORDER**  
(19/06/2012)

1. The Complainant, Shri C. S. Barretto, has filed the present complaint praying that the opponent be directed to immediately furnish the certified copies of all the documents requested for in terms of his letter dated 22<sup>nd</sup> August, 2011 and that Public Information Officer be penalized in terms of Sec.20 of the R.T.I. Act.

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

That the complainant, vide application dated 23/07/2011, sought certain information under Right to Information Act, 2005 ('R.T.I. Act for short') from the Public Information Officer(P.I.O.)/opponent. That the opponent by reply dated 9/8/2011 he furnished the names of staff working in his office and requested the complainant to collect information regarding Mamlatdar and Additional Collector from the Personal Department, Secretariat. That the complainant then called for the certified

copies of the documents of the staff working under Collector vide his letter dated 22/8/2011. That the opponent tendered his reply vide his letter dated 26/8/2011 wherein he informed the complainant that his application dated 22/8/2011 is rejected U/s.8(1)(j) of the R.T.I. Act on the ground that it is personal information and disclosure of which has no relationship to any public activity or interest and no public interest would be served in disclosing the information. Being aggrieved by the said reply, the complainant preferred appeal before the Collector, North and though 40 days have lapsed, the complainant did not hear anything from the First Appellate Authority. Being aggrieved the complainant preferred the present complaint.

3. The opponent resists the complaint and the reply of the opponent is on record. In short, it is the case of the opponent that application dated 23/7/2011 of the complainant was received by the P.I.O. and by reply dated 9/8/2011 the requisite information was sent to the complainant. The complainant was also informed that the information regarding Additional Collector and Mamlatdar be obtained from the Personal Department. That the complainant vide application dated 22/8/2011 requested for certified copies of charge-sheet and appeal memo of 28 staff members who were facing inquiries. That since the information was confidential and personal in nature and that the disclosure of which had no relationship to any public activity or interest, the same was rejected U/s.8(1)(j) of the R.T.I. Act. That though the information sought by the complainant dated 23/7/2011 was confidential in nature the same was provided to him. However the representation dated 22/8/2011 was rejected U/s.8(1)(j). Besides the said information could not be provided as information which would impede process of inquiry/investigation or apprehension or prosecution of offender as per sec.8(h) of the R.T.I. Act. According to the opponent question of imposing penalty does not arise and that appeal be disposed off.

Rejoinder filed by the complainant is also on record.

4. Heard arguments of the Complainant and also heard Shri A. Chopdekar representative of the opponent.

5. I have carefully gone through the records of the case and also considered arguments advanced by the parties. It is seen that, by application dated 23/7/2011 the complainant sought certain information. By reply dated 9/8/2011 the information was furnished.

By letter dated 22/8/2011 the complainant sought certain certified copies in addition to the original application. This request was rejected by letter dated 26/8/2011 U/s.8(1)(j) of the R.T.I. Act. It appears from the record that appellant preferred appeal before First Appellate Authority dated 1/9/2011. It is noted from record that F.A.A. passed the order on 18/10/2011. As per the same the request was rejected.

6. It is the grievance of the complainant that his request dated 22/8/2011 is not complied with. It is to be noted here that by letter dated 22/8/2011, the complainant was seeking additional information over and above his application dated 23/7/2011. Under R.T.I. Act the information seeker cannot seek additional information other than original one. Again under appellate stage also no further information can be ordered to be furnished. In any case information is furnished in respect of the original application. The complainant also agrees that the same is furnished. In case the complainant wants any additional information, he will have to file fresh application.

7. Coming to the aspect of delay. Considering the dates of the applications and the reply furnished, the information is in time. Therefore the question of delay does not arise.

8. Since information is furnished, no intervention of this Commission is required and hence I pass the following order.:-

**ORDER**

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

The complaint is accordingly disposed off.

Pronounced in the Commission on this 19<sup>th</sup> day of June, 2012.

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