

GOA STATE INFORMATION COMMISSION

Ground Floor, Shrama Shakti Bhavan, Patto Plaza, Panaji- Goa.

CORAM: Smt. Leena Mehendale, State Chief Information Commissioner

Appeal 24/SCIC/2012

Decided on 30/04/2014

Shri. Nishant G. Sawant,
R/o. H.No.1188, Mahalaxmi,
Bandora, Ponda – Goa.

.....Appellant

V/s

1. Executive Engineer/Public Information Officer,
Work Div II,
Water Resources Department,
Gogal, Margao – Goa.
2. First Appellate Authority/Superintendent Survey of Works,
Water Resources Department,
Panaji – Goa.

.....Respondents

ORDER

This Appeal is filed on 25/01/2012 and it arises out of original RTI application dated 08/09/2011 made to the PIO Executive Engineer Works Division II, Water Resources Department Goa. Appellant asked information regarding work described in letter No. WRD/WDII/ASW/F-17/13/2010-11 dated 03/01/2011 such as Survey No., Location, copy of MB(Measurement book) and the name of Supervisor who recorded the measurement.

He made appeal on 04/11/2011 stating that he has not received any information hence the same may be given to him free of charge. The PIO claims that he has given a reply on 04/10/2011 asking the appellant to pay a fees of Rs. 100/- towards the information. This letter is signed by Mr. Ranga Raju, Executive Engineer (The Then PIO).

The appellant filed 2nd Appeal to the Commission on the ground that no Order was passed by the FAA.

When Notices were issued for hearing in the 2nd appeal the Respondent No. 2 and FAA (Superintending Engineer) has filed a reply on 23/04/2012 stating that the appellant has filed 2 identical copies which are inwarded in his office vide office entry No. 3797 and 3798 both dated 04/11/2011. Both the appeals look

identical, one seeking information for work No. F.17/13 dated 03/01/2011 and another seeking information for the work No. F.17/14 dated 04/01/2011. The FAA clubbed both the appeals together and passed an order. It is pertinent to note that even though the work mentioned in 2 appeals are different namely F.17/13 and F.17/14, yet the exhibits filed with both the appeals were exactly the same. Further, the applicant was also not careful to mention it during the hearing of the Appeal or immediately thereafter that there were 2 appeals.

In view of this the claim of the appellant that FAA has not passed the order must be rejected.

The PIO and Respondent No. 1 has also filed a reply on 06/06/2012 he states that the RTI application was forwarded to the dealing Assistant Engineer of Sub Division 4 who has vide his letter dated 04/10/2011, sent information to PIO whereupon the PIO immediately informed the appellant to pay a fees of Rs. 100/-. He also mentioned in the said letter that the PIO would require 10 days time for xeroxing etc. after the fees was paid. However instead of paying the money the Appellant has simply made the First Appeal. The PIO and Respondent No. 1 has filed a copy of the above said letter namely No. WRD/WRD/WDII/Adm/F-311/589/2011-12 dated 04/10/2011.

The appellant has not filed any reply to these claims. He is present for hearing but has no replies to the claims of the FAA or of the PIO.

I agree with the replies filed by Respondent No.1 and Respondent No. 2. The Appeal is therefore dismissed as lacking merit. The RTI applicant must have a genuine desire and need of the information that he seeks. Which seems lacking.

- - **ORDER** - -

In view of the above Appeal is disposed as lacking merit. Order declared in Open Court. Inform parties.

Sd/-
(Leena Mehendale)
Goa State Chief Information Commissioner,
Panaji-Goa.