

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 170/2008

Smt. Sanyogita Kashinath Shetye,
Bambino Building, Alto Fondvem,
Ribandar, Tiswadi - Goa.

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Appellant.

V/s.

1. Public Information Officer,
The Under Secretary (Personnel – II),
Secretariat, Porvorim – Goa.
2. First Appellate Authority,
The Joint Secretary (GA),
Secretariat, Porvorim – Goa.

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Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner
&
Shri G. G. Kambli
State Information Commissioner

(Per A. Venkataratnam)

Dated: 30/12/2008.

Appellant is represented by Mr. Kashinath Shetye.

Both the Respondents were represented by Adv. K. L. Bhagat,
Government Counsel.

ORDER

The Appellant has requested on 25th July, 2008 under the Right to Information Act, 2005 (RTI Act for short) for certain information about the Chief Secretary, his annual property returns, log books of vehicles used by him, his promotion to a post outside Goa, his continuation in Goa etc. by a set of 11 questions. The Appellant was given certain information by the Public Information Officer on 4/8/2008, i.e. within the time limit allowed under the law. Not satisfied with the reply, a first appeal was made before Respondent No. 2, who passed an order dismissing the appeal. The present second appeal has been filed by the Appellant challenging the order of the First Appellate Authority, hereby referred to as the impugned order.

2. Notices were issued and the Respondents were represented by the learned Government Counsel Adv. K. L. Bhagat. Replies were filed on

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behalf of both the Respondents. The main thrust of the appeal is that the replies to questions regarding the log books of the vehicles used by the Chief Secretary does not contain the vehicle numbers of none of the vehicles used by the Chief Secretary. A further reply was given to him asking him to pay some more amount and the office was willing to give the information. In answer to question No. 5 regarding the property returns, the reply by the Public Information Officer that it is for the cadre controlling authority to maintain such returns, the Appellant submitted that the returns for the period when the Chief Secretary is working in Goa have to be submitted to and should be available with the Goa Government. His contention is accepted and the Public Information Officer is directed to give this information after collecting necessary fees. If they are not filed by the Chief Secretary and therefore, are not available with the Personnel Department, Goa that also should be said in as many words.

3. The Appellant has made a grievance that the Chief Secretary was promoted and that he has retained the old posting meaning present posting. The Public Information Officer has submitted that no promotion order has been received by the Goa Government and therefore, all these questions relating to the promotion, continuation in Goa even after promotion, entitlement of pay of the scale of promoted post even though he has not joined the new posting etc. are all irrelevant and are rejected.

4. With the above reasons, the appeal is partly allowed. Further information on points 5 and 7 should be given to the Appellant within 10 days after receiving the payment for the information by the Public Information Officer.

Pronounced in the open court on this 30th day of December, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner

Sd/-
(G. G. Kambli)
State Information Commissioner

