

GOA INFORMATION COMMISSION

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

Appeal / 86 / SIC / 2008 /

Shri Rajveer Singh,
Staff Car Driver,
NIC, H-Block, Paraiso de Goa,
Porvorim - Goa.

..... Appellant

V/s

1. The Public Information Officer,
The Additional Collector - II R,
Collectorate, South District,
Margao - Goa.

..... Respondent No.1..

2. The First Appellate Authority,
The Collector,
Collectorate, South District,
Margao - Goa.

..... Respondent No.2..

CORAM:

Shri G.G. Kambli
State Information Commissioner

(Per G.G. Kambli)

Dated: 19/09/2008

Appellant in person.

Shri Jeetendra Bugde A.K., represented both the Respondents.

ORDER

The Appellant herein approached the Respondent No. 1 with his request dated 10/06/2008 seeking certain information under the Right to Information Act 2005 (for short the Act).

2. The case of the Appellant is that the Appellant was drafted for election duty in October 2007 and that he has not been paid honorarium on par with the other drivers and therefore by his representation dated 24/03/2008 requested the Collector to revise the sanction order.

3. As the Appellant did not receive any response to his representation, the Appellant by his application dated 10/06/2008 requested the Respondent No. 1 to inform him the action taken on his representation and the time frame by which he will be paid honorarium. The Respondent No. 1 by his reply dated 19/06/2008 rejected the application of the Appellant on the ground that the information sought by the Appellant does not fall within the

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ambit of the term “information” as defined in section 2 (f) of the Act. The Respondent No. 1 has also relied upon the order of the Hon’ble High Court of Bombay in Writ Petition No. 419 of 2007.

4. Aggrieved by this rejection letter of the Respondent No. 1, the Appellant preferred first appeal before the Respondent No. 2 vide Appeal dated 10/07/2008. The hearing on the said Appeal was fixed on 25/07/2008 at 10.30 am. by the First Appellate Authority. As the Appellant did not receive the decision of the First Appellate Authority within the time limit as specified in sub-section (6) of section 19 of the Act, filed the present second Appeal before this Commission under section 19(3) of the Act.

5. The notices were issued to both the Respondents. Shri Jeetendra Bugde, A.K, represented both the Respondents in view of the letter of authority. Shri Bugde produced a copy of the order dated 31/07/2008 passed by the Respondent No. 2, a copy of which was given to the Appellant. The Appellant stated that he was not provided with any copy of the order passed by the Respondent No. 2 which made him to file the present second Appeal. No evidence is produced by the Respondents to prove that the said order was served on the Appellant.

6. On perusing the order passed by the Respondent No. 2, it is seen that the Appellant has been directed to produce the reliving order of the NIC Panaji in order to recommend his case to the Chief Electoral Officer. In fact, the Respondent No. 2 has disposed off the representation dated 24/03/2008 in the Appeal filed by the Appellant under the Act. Therefore, the grievances of the Appellant are met and the Information sought by the Appellant also contained in the said order. Hence, nothing survives with the present Appeal. Accordingly the Appeal stands disposed off.

Announced in the open Court on this 19th day of September 2008.

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