

**GOA STATE INFORMATION COMMISSION AT
PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 03/SIC/2009

Shri Rohidas Hari Naik
H. No. 940, Krantinagar, Alto Betim
P.O. Alto Porvorim – 403 521

...**Appellant.**

V/s.

1) The Public Information Officer
The Secretary
Village Panchayat of Socorro
Bardez – Goa

...**Respondent**

J U D G M E N T

(Per Afonso Araujo)

As the Appellant noticed some irregularities in respect of date of birth 10.07.1984 in the Xerox copy of birth certificate of one Gurudas Madhu Araundekar, by letter dated 17.11.2008 sought the following information:

- 1) Whether certificate is genuine and particulars of date of birth, date of registration are as per original records.
- 2) Who is the person who applied for copy of certificate which was issued on 01.10.2004.
- 3) In case of any discrepancy to issue him certified copy of birth certificate issued to Shri Gurudas Madhu Araundekar on 03.08.1988.

2. The Public Information Officer – the Respondent by letter dated 26.11.2008 stated that the questions asked on the Xerox copy of the birth certificate does not come under the purview of the RTI Act and copy of birth certificate was provided to the Appellant. Again on 12.12.2008 the Appellant sought further information under the RTI Act and thereafter approached the First Appellate Authority – the Block Development Officer on 29.01.2009 and the First Appellate Authority on 06.03.2009 passed order directing the Respondent to provide the information within seven days and fixed

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for compliance on 16.03.2009. As the Respondent did not comply with the order of the First Appellate Authority filed the present appeal on 06.04.2009.

3. Shri Naik submitted that the Xerox copy which he came across was with date of birth 10.07.1984 and date of registration is 03.08.1988 and the number 84 showing 1984 as the date of birth there appears to be some alterations and that the original birth certificate shows date of birth as 10.07.1988. Shri Prabhu, Public Information Officer submitted that the original records shows the date of birth as 1988 and the Xerox copy produced by the Appellant shows 1984 and that the Xerox copy must have been manipulated and that the information sought cannot be provided under the RTI Act.

4. I have gone through the records of the case and the submissions of the parties.

5. On perusing the Xerox copy of the birth certificate of Shri Gurudas Madhu Araundekar, which the Appellant relied, shows the date of birth 10.07.1984. While observing the numbers 84 it appears that there was some erasure and 84 was written thereafter. Comparing the same birth certificate with original issued by the Registrar of Births & Deaths Registrar-cum-V.P. Secretary, Socorro, Bardez, the date of birth is shown as 10.07.1988. In the Xerox copy the registration No. 148/1988 and date of registration as 3.8.88 is the same as in the original birth certificate and only the date of birth is changed from 1988 to 1984. This change of the year from 1988 to 1984 cannot be attributed to the authorities of the Village Panchayat who issued the certificate. The certificate is issued based on the original records of the Panchayat. Since the number of registration 148/1988 and the date of registration 3.8.88 is the same in Xerox copy where the alteration is found and in the

Original birth certificate, it is difficult to believe that birth taken place in 1984 was registered in the year 1988.

6. It is on the copy of the original that this alteration from 1988 to 1984 was made by the interested person to use such certificate for his purpose. The remedy available to the Appellant for such forgery is either to approach the police authorities and register a case of forgery of documents or file a case in Court for using this false certificate. The Public Information Officer by providing the Appellant with the birth certificate transcribed from the records of the Panchayat and stating that the other information sought in the letter dated 17.11.2008 does not pertain to RTI Act, correctly replied to the Appellant's request and accordingly, this appeal is disposed off.

Pronounced in the open court on this 23rd day of July, 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner

