

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 65/SIC/2009

Mr. Sadanand S. Naik,
R/o. Santa Cruz,
Calapur,
Ilhas- Goa

... Complainant.

V/s.

Public Information Officer,
Office of the Chief Conservator of Forests,
Forest Department,
Panaji – Goa

... Opponent.

ORDER

(Per Afonso Araujo)

This order shall dispose the application for recalling the order of the Commission dated 20.07.2009.

The Complaint No. 16/SIC/2009 was disposed by order dated 20.07.2009 on the ground that the information provided on 13.05.2009 by the Opponent meets the requirements of the information sought on 25.03.2009 by the Complainant. All the contentions made in the application for recalling of the order are by way of grievances against the order dated 20.07.2009 of this Commission. Though the Applicant titled his application to recall the order, from its tone and tenor, the Applicant seeks to review the order of the Commission. The powers to review its own order by a Court are governed by the provisions of Code of Civil Procedure (referred to as 'the Code'). Unless the RTI Act specifically has a provision for review of its own order, the provisions of the Code will not be applicable under the RTI Act. The lone provision of the Code which is made applicable to the

cases under the RTI Act is when the Commission while inquiring into the complaint under the RTI Act has been vested with same powers as are vested by Civil Courts while trying a suit under the Code and which is listed at (a) to (f) of section 18(3) of the RTI Act, 2005.

Since there is no specific provision to review its own order under the RTI Act, and the provisions of the Code in respect of review is not applicable under the RTI Act, the application to recall the order of this Commission is dismissed.

Pronounced in the open court on this 26th day of October, 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner