

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 242/2008

Shri Kashinath Shetye,
Bambino Building, Alto Fondvem,
Ribandar,
Tiswadi - Goa

... Appellant.

V/s.

1) The Public Information Officer,
Under Secretary -II,
Personnel Department,
Secretariat,
Porvorim – Goa

... Respondent No. 1

2) The First Appellate Authority,
Joint Secretary,
General Administration Department,
Secretariat,
Porvorim – Goa

... Respondent No. 2

Shri Mandrekar for the Appellant.
Shri K. L. Bhagat for the Respondents.

J U D G M E N T

(Per Afonso Araujo)

The Appellant in the request dated 19.09.2008 sought the following information under the Right to Information Act, 2005:

(i) Certified copies of Annual Property Returns of all officers, Dy. SP and above, of the Police Department from 2000-2008.

(ii) List of the people who have not filed their Annual Property Returns, all gazette officers of 2000-2008 of Government of Goa.

2. This request was transferred by the Respondent No. 1 by

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letter dated 23.09.2008 to the Director General of Police, Police Headquarters, Panjim. On 31.10.2008 the latter transferred back to Respondent No. 1 only the information sought at serial No. (ii) of the request dated 19.09.2008. The Respondent in communication dated 06.11.2008 informed the Appellant that the list of people who have not filed their annual property returns are not being prepared and maintained by the Department in their records. Aggrieved by this decision the Appellant preferred First Appeal and by order dated 26.11.2008 the First Appellate Authority maintained the decision of the Respondent. Hence, this Second Appeal.

3. Shri Shetye stated that under Civil Service Conduct Rules every officer has to submit annual property returns and the Respondent should have provided the information at serial No. (ii). Shri Bhagat submitted that such type of information sought is not maintained by the Respondent.

4. I have gone through the records of the case and taken into consideration the submissions of both the parties. No doubt that every officer in the service of Goa Government has to submit his property returns every year and these are maintained by the Department of the Respondent No.1. However, the Appellant requires the list of all those gazette officers who have not filed their annual property returns from 2000 to 2008. This request cannot be acceded to as it is not specific and the Respondent does not maintain the records of those officers who have not filed their annual property returns. There are number of gazetted officers in various departments spread in the entire State of Goa and finding out those

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officers who have not filed their returns for the period 2000-2008 is not practical. In such circumstances, the Respondent was justified in not providing the information sought and the Order of the First Appellate Authority maintaining the decision of the Respondent does not call for any interference. Hence, the following order:

ORDER

The appeal is dismissed.

Pronounced on this 25th day of November, 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner

