

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 318/2008

Shri Uday A. Chari,
H. No. C-5/55, Altinho,
Panaji – Goa

... Appellant.

V/s.

1) The Public Information Officer,
Executive Engineer, Works Div. III,
PWD, St. Inez,
Panaji – Goa

... Respondent No. 1.

2) Shri C. Radhakrishnan,
Asst. Engineer II Div. III (PHE),
Sewage Treatment Plant,
Tonca, Caranzalem-Goa

... Respondent No. 2.

Appellant in person.

Shri K. L. Bhagat for the Respondent No. 1.

Shri V. Naik for the Respondent No. 2.

J U D G M E N T

(Per Afonso Araujo)

By request dated 25.11.2008 under the Right to Information Act, 2005 (for short the 'RTI Act') the Appellant requires the educational qualifications of Assistant Engineer, Shri C. Radhakrishnan working at Sewage Treatment Plan, Tonca, Caranzalem-Goa, namely, (1) Passing certificate of S.S.C.E., Higher Secondary Certificate, Diploma or Degree Certificate in Engineering, (2) date of appointment order as Engineer in PWD, (3) initial posting order as Engineer (4) birth certificate, (5) whether Certificate of Educational Qualification submitted by him is from recognized Technical Board or University or not, (6) copies of notification regarding sewage under Subsidiary Scheme and (7) whether any action has been taken of the Appellant's letter dated 28/8/2008.

...2/-

2. The Respondent No. 1 by communication dated 15.12.2008 provided the information and stated that information in respect of Sr. No. 1 to 5 pertains to personal records of Shri C. Radhakrishnan, Assistant Engineer and it is not available in the office and information at Sr. No. 6, the Respondent No. 1 provided copy of the press-note and regarding Sr. No. 7 it is stated that no action has been taken on the letter dated 28.08.2008 as the matter is sub-judice before Additional District Magistrate, North Goa. Not content with this reply provided the Appellant preferred First Appeal and by order dated 06.02.2009 the First Appellate Authority upheld the decision of the Respondent No. 1 and dismissed the Appeal. Hence, this Second Appeal.

3. On perusing the request dated 25.11.2008 of the Appellant it may be pointed out that the information at Sr. No. 1 to 5 is personal information in respect of the said Assistant Engineer and at Sr. No. 6 and 7 it pertains to the sewage system undertaken by the Public Authority and the grievance of the Appellant against this sewage system. Though the said Assistant Engineer is working at the said sewage treatment plant, there is no nexus between this personal information from Sr. 1 to 5 with the queries on sewage system at Sr. No. 6 and 7.

4. The information at Sr. No. 1 which is the passing certificates of educational qualifications; at Sr. No. 4 which is the birth certificate and Sr. No. 5 which is the certificate of educational qualifications, are personal information not having any relation to the public activity of the Assistant Engineer, C. Radhakrishnan and the Respondent No. 1 is not required to provide such information to the Appellant. However, the

information at Sr. No. 2 – date of appointment as Engineer in PWD and at Sr. No. 3 – initial posting as Engineer, the same has to be provided since the said Assistant Engineer is a public servant working at the sewage treatment plant. In case the Respondent No. 1 does not have this information in their records, the Respondent No. 1 to transfer to the other Public Information Officer having this information. With these observations, the following order:

ORDER

The Appeal is partly allowed. The Respondent No. 1 to transfer within the period of five days from the receipt of this order to the Public Information Officer having the information at Sr. No. 2 and 3 of the request dated 12.01.2009 with a request to provide this information directly to the Appellant.

Pronounced on this 17th day of March, 2010.

**Sd/-
(Afonso Araujo)
State Information Commissioner**

