

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 91/SIC/2009

Sushant S. Naik
Costi Kalay,
Sanguem,
GOA – 403 704

... Appellant.

V/s.

1) The First Appellate Authority,
Conservator of Forests,
Panaji – Goa

... Respondent No. 1.

2) The Public Information Officer.
Deputy Conservator of Forests,
North Goa Division,
Panaji – Goa

... Respondent No. 2.

Appellant in person.

Respondent No. 2 in person.

J U D G M E N T

(Per Afonso Araujo)

The Appellant by request dated 09.02.2009 addressed to the Respondent No. 2 sought information under the Right to Information Act, 2005 (for short, the 'RTI Act') and requires: 1. (a) Complete file pertaining to Panduranga Timblo Industries, Shigao mines maintained by the Collem Range. (b) Copies of the Tree Felling Licenses obtained by the company Panduranga Timblo Industries to clear the Surface Area of Mining Concession at Shigao. (c) Details of Offence Cases booked against the said Mining Company and present status of the cases, and details whether any material or vehicles or tools seized, found involved in the offence. 2. (a) Complete file pertaining to excavation of old dump existing in the Government Forest Shivdem, in village Dharbandoda within the jurisdiction of Collem Range belonging to M/s. M.S. Talaulikar Sacorda Mines maintained by the Division. (b) Details of any offence cases booked against the company for any violations of Forest Acts or terms and conditions laid by any authorities concerned and the present status of the cases.

...2/-

2. The Respondent No. 2 by communication dated 25.03.2009 and in reply to the request dated 09.02.2009 required the Appellant to specify the documents required so that the same could be provided to the Appellant. Not satisfied with the reply of the Respondent No. 2, the Appellant preferred the First Appeal before the Respondent No. 1 and by Order dated 31.07.2009 the First Appellate Authority directed the Appellant to apply to the Respondent No. 2 specifying the specific file/documents pertaining to Panduranga Timblo Industries, Shigao Mines within seven days in writing as the Appellant has already seen the file/documents in the office of Collem Range as informed by the Appellant and consequently, on receipt of the application of the Appellant the Respondent No. 1 to provide the information within twenty days from the receipt of the letter of the Appellant. The Appellant challenged this Order of the First Appellate Authority in this Second Appeal.

3. The information at Sr. No. 1 (a), (b) and (c) pertains to Panduranga Timblo Industries, Shigao Mines and at St. No. 2 (a) and (b) to M/s. M. S. Talaulikar Sacorda Mines. No doubt that the request for information sought by the Appellant is too vast and it will put the Respondent No. 1 to undue pressure to provide this form of information to the Appellant. The Respondent No. 1 rightly required the Appellant to specify the documents required. So also the First Appellate Authority directed the Appellant to specify the documents required more so when the Appellant has already seen the file and the documents in the office of Collem Range. In fact, by specifying the documents the Respondent No. 2 is equipped to answer specifically the information required. Taking into consideration the vastness of the information required the First Appellate Authority was justified in directing the Appellant to specify the documents he required in the files of Panduranga Timblo Industries, Shigao Mines as well as M/s. M. S. Talaulikar, Sacorda Mines.

4. The spirit of the RTI Act is to provide the information to the citizen as far as possible in the same form the information is sought and in order to facilitate the Public Information Officer to provide any information, the information seeker has to be specific. In this manner the Public Information will be in a position to provide the information not only

speedily but also efficiently. The proper course would be for the Appellant to seek inspection of the files pertaining to Panduranga Timblo Industries, Shigao Mines as well as the file pertaining to M/s. M. S. Talaulikar Sacorda Mines and after locating the documents, seek the information required from the Respondent No. 2. There are no reasons to interfere with the Order of the First Appellate Authority.

With these observations the Appeal is disposed off.

Pronounced on this 05th day of April, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner