

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

**CORAM:** Shri Afonso Araujo, State Information Commissioner

Appeal No. 52/2009

Smt. Sushma V. Karapurkar,  
H. No. 46, Karaswada, Mapusa,  
Post Tivim Industrial Estate  
Bardez – Goa – 403 526

... Appellant.

V/s.

1) The Public Information Officer,  
Town & Country Planning Department, HQ.,  
Dempo Towers, 2<sup>nd</sup> Floor, Patto,  
Panaji – Goa – 403 001

... Respondent No. 1.

2) The First Appellate Authority,  
Town & Country Planning Department, HQ.,  
Dempo Towers, Patto Plaza,  
Panaji – Goa – 403 001

... Respondent No. 2.

Appellant absent.

Respondent No. 1 in person.

J U D G M E N T

(Per Afonso Araujo)

This is the case where the information was refused as the information seeker used insulting and abusive language.

2. By request dated 02.05.2009 the Appellant sought information pertaining to the pensionary benefits of the Appellant which were enumerated at Sr. No. 1 to 21 in the said request. The Respondent No. 1 by communication dated 12.05.2009 denied the information sought on the strength that the Appellant used obnoxious, unwarranted and unparliamentary language all through in the application. In the appeal preferred by Order dated 12.06.2009 the First Appellate Authority upheld the decision of the Respondent No. 1 and dismissed the Appeal. Hence, this Second Appeal.

3. The Appellant is entitled to obtain any information pertaining to the benefits of her family pension but the manner the Appellant sought the information was not in the spirit of the RTI Act. On perusing the

...2/-

application for information of the Appellant it appears that there is genuineness in respect of the information the Appellant requires, but the Appellant cannot obtain the said information by intimidating the Public Authorities entrusted with the task of deciding the application under the RTI Act. The Respondent No. 1 has to provide the information from the records and cannot create the information. If the Public authority dealing with the family pension of the Appellant has taken any decision it is for the Appellant to seek remedy in proper forum rather than hold the Respondent No. 1 responsible for such decision. Since the Appellant used insulting and abusive language in the application seeking information under the RTI Act, rightly the Respondent No. 1 denied the information to the Appellant and rightly the First Appellate Authority dismissed the First Appeal. Needless to say, the Appellant can seek the required information and be more discreet in the use of language. With these observations, the following order:

**ORDER**

The Appeal is dismissed.

Pronounced on this 18<sup>th</sup> day of January, 2010.

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