

# **GOA STATE INFORMATION COMMISSION**

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 20/2006/DCF(N)

Shrihari Kugaji  
78/2, 5<sup>th</sup> Cross, Adarsh Nagar,  
Hindwadi, P.O. Belgaum District,  
Karnataka - 590 001.

..... Appellant.

V/s.

1. Dy. Conservator of Forests (N) &  
Public Information Officer,  
Forest Department, Ponda - Goa.
2. The Chief Conservator of Forest,  
Panaji - Goa & First Appellate Authority.

..... Respondents.

## **CORAM:**

Shri A. Venkataratnam  
State Chief Information Commissioner  
&  
Shri G. G. Kambli  
State Information Commissioner

(Per A. Venkataratnam)

**Under Section 19 (3) of the RTI Act, 2005 (Central Act 22 of 2005)**

Dated: 26/10/2006.

Appellant in person.

Public Information Officer in person.

Chief Conservator of Forests represented by the PIO.

## **ORDER**

This order disposes off second appeals filed in 4 cases joined together and given only one appeal No.20/2006/DCF(N). The Appellant filed 4 separate requests on 8/12/2005 before the Public Information Officer seeking information on 4 different subjects for the sake of convenience. We will name them as request (A) regarding the mining concessions in his jurisdiction; (B) regarding the roads in the forests in North Division; (C) regarding the saw mills in his jurisdiction; (D) regarding the tree felling permissions given by the Division in period from 1<sup>st</sup> April, 2004 to 31<sup>st</sup> November, 2005. The Appellant has mentioned that the fees will be paid after the intimation of the amount. On 20<sup>th</sup> December, 2005, the PIO referred to only 3 applications namely A, B and D and mentioned that he is in correspondence with the Head office regarding fee recoverable from the

...2/-

Appellant. Thereafter, the Appellant by his letter dated 25/01/2006 asked the PIO to inform him under what section of the RTI Act the information was denied to him. On 8/2/2006, the PIO requested the Appellant to report to him in his office in person. Finally, the Appellant submitted 4 appeals on 11/3/2006 to the Respondent No. 2 against the deemed refusal of information. By an order dated 7/4/2006, the Respondent No. 2 issued a combined order disposing off the 4 appeals and directing the PIO to supply the information free of cost. Accordingly, the information was supplied by the PIO on 13/4/2006. Additional information was supplied on 8/5/2006. Not satisfied with the delay in giving him the information, the present second appeal is filed by the Appellant on July 1<sup>st</sup>, 2006.

2. As already mentioned, these appeals are combined together and a common order was issued by the first Appellate Authority. We also do the same. It is not in dispute that the information was given only after the first Appellate Authority has decided in favour of the Appellant. However, the PIO has made correspondence with the Appellant in the meantime and was under genuine difficulty as no fees was prescribed till 15<sup>th</sup> February under the new Act of 2005. He had a doubt whether to charge Rs.100/- as per earlier practice under Goa Right to Information Act of 1977. In any case, all the information has been furnished free of coast as directed by the Respondent No. 2 and we are not inclined to grant the prayer of the Appellant to start the penalty proceedings against the PIO. The appeal, therefore, is dismissed.

(A. Venkataratnam)  
State Chief Information Commissioner, GOA.

(G. G. Kambli)  
State Information Commissioner, GOA.