

**GOA INFORMATION COMMISSION**

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji-Goa

Appeal No. 04/2008

Dr. U. A. Vinay Kumar,  
Reader in Philosophy,  
Goa University, Taligao Plateau - Goa.

..... Appellant

V/s

1. The Public Information Officer,  
The Registrar,  
Goa University,  
Taligao Plateau - Goa.

..... Respondent No.1..

2. The First Appellate Authority,  
The Hon'ble Vice Chancellor,  
Goa University,  
Taligao Plateau - Goa

..... Respondent No.2..

**CORAM:**

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

(Per G. G. Kambli)

Date: 30/07/2008

Appellant in person

Adv. Mrs. A. A. Agni alongwith Adv. Ashwini Agni, for the Respondents.

**ORDER**

This will dispose off the appeal filed by the Appellant under section 19(3) of the Right to Information Act 2005 (for short the Act). The case of the Appellant is that the Appellant vide his application dated 14/01/2008 requested the Respondent No. 1 to provide "certified/attested copy of all inward entries to the Department of Philosophy of dates from 5/06/2003 to 13/06/2003". The Appellant also requested for the inspection of the said relevant book.

2. The Respondent No. 1 vide his letter dated 30/01/2008 informed the Appellant that the information sought by him are not found in the Department's Office. Dissatisfied with the reply of Respondent No. 1 the Appellant preferred an Appeal before the Respondent No. 2.

3. The Dy. Registrar (G.A.)/APIO communicated the decision of the First Appellate Authority to the Appellant vide letter dated 04/03/2008. It is seen from

.....2/-

the said letter, the expression “not found in the department office” has been explained as that the required registers are not there in the Philosophy Department Office. Further a copy of the letter dated 17/12/2007 of Ms. Jennifer Menezes who is also working in the Department of Philosophy was given to the Appellant. Besides a copy of the note dated 22/01/2008 from the Head of the Philosophy Department was also provided to the Appellant as an additional information and accordingly the Appeal was disposed off by the Respondent No. 2. The contention of the Appellant is that the information provided by the Respondent No. 2 is not relevant and is not maintainable in law, as the Appellant did not seek said information. The Appellant admitted of having taken some other documents for inquiry, which were returned by him subsequently.

4. The Learned Advocate for the Respondents, Mrs. A. A. Agni, contended that the information sought by the Appellant is not available in the Department of Philosophy and therefore the same could not be provided to the Appellant. Since the Appellant was working as the Head of the Philosophy Department earlier, he should be aware of the relevant records. She submitted that the efforts were made to trace these documents. The Clerk has clarified that these registers were not found and therefore, she has opened new registers. She has also given in writing that these records are not available and therefore the copies sought by the Appellant could not be provided.

5. Since the records are not available/traceable in Department of Philosophy or in the office of both the Respondents, it will be appropriate for the Respondent No. 1 to file Complaint, that is FIR, to the concerned Police station about these missing Registers.

6. In these circumstances, we have no other alternative but to direct the Respondent No. 1 to file a complaint that is FIR to the concerned Police Station about missing of the Registers within 2 weeks so that the police can investigate and take appropriate action in the matter.

Announced in the open court on this 30<sup>th</sup> day of July 2008.

Sd/-  
(G. G. Kambli)  
State Information Commissioner

Sd/-  
(A. Venkataratnam)  
State Chief Information Commissioner

