

GOA INFORMATION COMMISSION

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

Appeal No. 124/2007-08/CCP

Mr. Thomas Carvalho,
H. No. 263, Nachinola,
P. O. Aldona, Bardez – Goa.

..... Appellant.

V/s.

1. Public Information Officer,
The Commissioner,
Corporation of the City of Panaji,
Panaji – Goa.
2. First Appellate Authority,
The Director of Municipal Administration,
Collectorate Building,
Panaji – Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 27/03/2008.

Appellant in person.

Adv. Vallabh G. N. Parulekar for Respondent No. 1.

Authorized representative Shri. Yeshwant Gawas, UDC for Respondent No. 2 present.

ORDER

This disposes off a second appeal dated 17th January, 2008 filed by the Appellant against both the Respondents. By his original application dated 10th October, 2007, the Appellant requested the Respondent No. 1, the Public Information Officer, to give him in detail "the process to be carried out for final disposal of garbage in the solid waste disposal management plant at Patto, Panaji". The Respondent No. 1, Public Information Officer, by his letter dated 7/11/2007 requested the Appellant to call on him on any working day as he has not been able to understand the request of the Appellant. The Appellant claims to have not received this letter and after waiting for 45 days he has made a first appeal to the Respondent No. 2. He mentioned in the first appeal that he did not receive the information from the Public Information Officer and asked the first Appellate Authority to "do the needful at your earliest". There is no order of the first Appellate Authority on record. Feeling aggrieved, the Appellant approached this Commission by way of this second appeal.

2. Notices were issued to all the parties and the Public Information Officer submitted his reply, a copy of which was given to the Appellant. The Respondent No. 1 enclosed his letter to the Appellant dated 7th December, 2007 requesting the Appellant

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to call on the Public Information Officer, and a copy of the information requested by the Appellant. In short, the information requested by the Appellant was received by the Appellant as an enclosure to the reply now submitted to the Commission by the Public Information Officer in response to the notice issued to him in this second appeal.

3. On behalf of the first Appellate Authority, Respondent No. 2 herein, the authorized representative filed a reply by the first Appellate Authority who submitted that the first appeal filed by the Appellant before him was "misplaced by the dealing hand and no further hearings were held and no decision taken".

4. The Appellant argued for himself and Adv. Vallab G. N. Parulekar argued on behalf of the Public Information Officer. The brief point on behalf of the Public Information Officer is that the application for request for information is vague and therefore, could not be replied. However, based on the appeal memo, which made the request clearer to the Public Information Officer, a reply was prepared and enclosed to the statement of the Public Information Officer before this Commission and served on the Appellant. Therefore, he has submitted that there is no intentional delay in giving the reply nor there is any malafides on the part of the Public Information Officer.

5. The Appellant admitted that the information is received by him now though belatedly and that he is satisfied by the reply. However, he insisted on punishing the Public Information Officer for not giving the reply initially. He has also requested for compensation to be awarded to him. We have found that the original request for information is not very clear and the Appellant did not visit the office of the Public Information Officer and inspect the documents. No doubt, he claims that he did not receive such a letter. However, he has also not made any efforts on his own to contact the Public Information Officer. We find that the Public Information Officer has taken diligent steps in the matter and at the first available opportunity, the reply was given to the Appellant. We, therefore, reject the request of the Appellant to take steps to impose fine on the Public Information Officer. We also find that the case does not deserve for awarding of any compensation to the Appellant. Before parting with the case, we would like to observe that the first Appellate Authority has misplaced the first appeal and not even contacted the Appellant for a copy of first appeal. He is warned to be more careful in future in maintenance of his own records and more particularly the records of the appeal cases filed by the citizens under the Right to Information Act.

6. With the above observations, the appeal stands disposed off.

Announced in the open court on this 27th day of March, 2008.

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

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

