

GOA INFORMATION COMMISSION

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

Appeal No. 125/2007-08/IFB

Shri. R. G. Furtado,
F-3/A1, Virginkar Residency,
Ambaji, Fatorda – Goa.

..... Appellant.

V/s.

1. First Appellate Authority,
The Chief Inspector,
Inspectorate of Factories & Boilers,
Altinho, Panaji – Goa.
2. Public Information Officer,
Shri. R. T. Korgaonkar,
The Inspector of Boilers,
Inspectorate of Factories & Boilers,
Altinho, Panaji – Goa.

..... Respondents.

Appeal No. 126/2007-08/IFB

Shri. R. G. Furtado,
F-3/A1, Virginkar Residency,
Ambaji, Fatorda – Goa.

..... Appellant.

V/s.

1. First Appellate Authority,
The Chief Inspector,
Inspectorate of Factories & Boilers,
Altinho, Panaji – Goa.
2. Public Information Officer,
Shri. R. T. Korgaonkar,
The Inspector of Boilers,
Inspectorate of Factories & Boilers,
Altinho, 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.

Both the Respondents in person

ORDER

By this common order, we are disposing off both these appeals as both these appeals involves common point of law and the parties in both these appeals are the same. In the first case, the Appellant has requested to "provide me particulars of information requested by Mr. Pratap Mardolkar in the matter of three letters by Pratap Mardolkar to the Public Information Officer". In the second case also by his application dated 10th July, 2007, the Appellant has requested the Public Information Officer,

...2/-

Respondent No. 2 herein "to provide me the particulars of the information that was requested by Pratap Mardolkar" in respect of four letters. The Public Information Officer has taken some efforts to throw open his office files for inspection by the Appellant, certain documents were collected by the Appellant (27 pages in the first case) after paying the fees. The Appellant was not satisfied by the information given to him and filed the first appeals in both the cases which were dismissed by the first Appellate Authority on the ground that the information was already provided to the Appellant. The present second appeals are, therefore filed on 13/11/2007 in the case of Appeal No. 125/2007-08 and 26/09/2007 in respect of Appeal No. 126/2007-08. Notices were issued and the parties argued for themselves besides filing the written statements.

2. Before entering into the merits of the second appeals, we would like to examine whether the request of the Appellant to the Public Information Officer is in order. Section 6 of the Right to Information Act, 2005 (RTI Act for short) provides for obtaining any information under this Act by any citizen after payment of an application fee. "Information", "record" and "public authority", are all, defined under the RTI Act. The question here is while a citizen can inspect the records of the public authority and obtain copies of the documents from the Public Information Officer, whether he can do so to probe about the information requested for and given by the public authority to another citizen. In the cases before us, it is not in dispute that the Appellant has not asked for the information initially, and that one Shri. Pratap Mardolkar requested for and obtained the information from the Public Information Officer. Apparently, lots of requests were made and information provided by the Public Information Officer to Shri. Pratap Mardolkar. Three such letters were referred by the present Appellant in the Appeal No. 125/2007-08 and four such letters referred by the Appellant in the Appeal No. 126/2007-08. Now, if the information supplied by the Public Information Officer to Shri. Pratap Mardolkar is not correct, incomplete or false, it is for Shri. Pratap Mardolkar to file appeals before the appellate authorities. For this purpose, he could take the assistance of any other persons including the present Appellant. However, what we find in the present appeals before us is that Shri. Pratap Mardolkar is nowhere in the picture and the Appellant has taken both the Respondents to task for not providing complete and correct information to Shri. Pratap Mardolkar. We find that this is not provided for under the RTI Act. Therefore, it is not possible for us to get into the merits of these appeals.

3. Both the appeals are, therefore, dismissed.

Pronounced 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