

## **GOA INFORMATION COMMISSION**

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

Appeal No. 141/2007/Excise

Ms. Anupama Mirashi,  
Abinash Niwas, Aradi Wada,  
Giri, Bardez – Goa.

..... Appellant.

V/s.

1. Public Information Officer,  
The Assistant Commissioner of Excise,  
Office of the Commissioner of Excise,  
Panaji - Goa.
2. First Appellate Authority,  
The Commissioner of Excise,  
Office of the Commissioner of Excise,  
Panaji - Goa.

..... Respondents.

### **CORAM:**

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

(Per A. Venkataratnam)

Dated: 08/05/2008.

Adv. Yatish Naik present for the Appellant.

Adv. K. L. Bhagat for both the Respondents.

### **ORDER**

This second appeal is filed against the order dated 29/02/2008 of the Respondent No. 2 herein, hereinafter referred to as the impugned order, on the grounds contained in the second appeal. By the impugned order, the Respondent No. 2 upheld the earlier reply dated 12<sup>th</sup> February, 2008 given by the Respondent No. 1, Public Information Officer, to the request for information dated 28/1/2008 of the Appellant.

2. Notices were issued to all the parties. On one occasion Advocate for the Appellant by name Shri. Yatish Naik appeared on behalf of the Appellant. He remained absent on the subsequent date during arguments. Shri. K. L. Bhagat, Government Counsel was present for both the Respondents on both occasions. He has also filed the replies of both the Respondents. The short point for decision here is whether the information requested by the Appellant is specific in order that the Public Information Officer could give the information. The request is about 5 points, namely, how many appeals have been filed against the Excise Department with Chief Secretary, High Court etc of any other places; how many appeals filed against rejection of liquor licences; what is the detailed procedure for grant of licenses etc. The contention of both the

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Respondents is that period for which the information asked for is not mentioned and in the absence of which it is not possible to gather information. On the other hand, the Appellant prays that the request dated 28<sup>th</sup> January, 2008 is very specific in nature.

3. By the impugned order, the first Appellate Authority has upheld the contention of the Public Information Officer stating that in the absence of the specific period, the Department has to obtain the same from the various other offices "which involve energy, time etc.". He is also of the opinion that the information runs into number of pages and requires lot of efforts from the Department and hence, he upheld the order of rejection of request by the Public Information Officer. It is true that the citizen need not mention his locus standi and the purpose for which he is requesting for the information. There is also no bar on the period for which information is requested or the quantum of information requested. However, it is also true that the citizen has to clearly mention the period for which it is required so that the officials can trace out the records and compile the fees payable by the citizens before it is actually issued. We find from the request made by the Appellant that it is not only vague, not specific but it would involve wastage of huge public resources involving lot of man hours for searching for information and compiling it. We, therefore, uphold the reasoning given in the impugned order and reject the contention of the Appellant. Consequently, the appeal fails and is hereby dismissed.

Pronounced in the open court on this 8<sup>th</sup> day of May, 2008.

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

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