

## GOA INFORMATION COMMISSION

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

### 2<sup>nd</sup> Appeal No. 20/2007

Shri Viyen Azavedo,  
Nusi Maritime Academy,  
Chinchinim- Goa.

... Appellant.

V/s

1. The Public Information Officer  
Department of Personnel,  
Secretariat,  
Porvorim – Goa.

... Respondent No.1.

2. First Appellate Authority,  
Department of Personnel,  
Secretariat, Porvorim- Goa.

... Respondent No.2.

### **CORAM:**

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

(Per G.G. Kambli)

Dated: 30/08/2007.

The Appellant was represented by Shri Sushant Nagvenkar.

Respondent No. 1 present.

Respondent No. 2 absent.

### **O R D E R**

The Appellant vide application dated 22<sup>nd</sup> March 2007 moved under Right to Information Act 2005 (for short the Act) requested the Respondent No. 1 to furnish certified photo copy of the Office memorandum No. 2/38/75-PER dated 7<sup>th</sup> June, 1983. The Respondent No. 1 vide letter dated 28/03/2007 informed the Appellant that Office Memorandum was issued 23 years back and the same is not traceable and as soon as it is traced it will be applied to the Appellant.

...2/-

2. Aggrieved by the said letter dated 28/03/2007 of the Respondent No. 1 the Appellant preferred the 1<sup>st</sup> appeal before the Respondent no. 2 but with no results hence, the present 2<sup>nd</sup> appeal. Upon issuing the notices the Respondent No. 1 filed a reply. The Respondent No. 2 remained absent. The Respondent No. 1 in the reply stated that every possible efforts were made to trace the relevant file and inspite of the said efforts, the same could not be traced. The Respondent No. 1 also stated that on account of the shifting of the records from the old Secretariat building of the new Complex Porvorim, the records might have been misplaced and therefore the Respondent No. 1 submitted that the sufficient time of at list 3 months is required to trace the file.

3. We have gone through the reply of the Respondent No. 1. The Appellant is seeking a photocopy of the Memorandum issue in the year 1983. It is also the fact that the records are shifted from the old Secretariat to the new Complex at Porvorim. The request of the Respondent No. 1 seeking more time to trace the old records is a genuine. Since the relevant file is not traceable the Respondents are unable to provide the certified copy of the memorandum sought by the Appellant. However, as requested by the Respondent No. 1, we direct the Respondent No. 1 to trace the relevant file and provide the information to the Appellant within the period of 3 months. The Appeal therefore stands disposed off accordingly.

Announced in the open Court on 30<sup>th</sup> day of August, 2007.

(Shri G.G. Kambli)  
State Information Commissioner

(Shri A. Venkataratnam)  
State Chief Information Commissioner

/PG

No.GIC/Appeal No. 20/2007-08/DP  
Goa Information Commission,  
Shrama Shakti Bhavan,  
Patto, Panaji Goa.

Dated: 31/08/2007.

1. Shri Viyen Azavedo,  
Nusi Maritime Academy,  
Chinchinim- Goa.
2. The Public Information Officer  
Department of Personnel,  
Secretariat,  
Porvorim – Goa.
3. First Appellate Authority,  
Department of Personnel,  
Secretariat, Porvorim- Goa.

**Sub: Appeal No. 20/2007-08/DP.**

Sir,

I am directed to forward herewith the copy of the Order dated 30/08/2007 passed by the Commission on the above Appeal for information and necessary action.

Yours faithfully,

(Chollepi Prabhakar)  
Secretary  
Goa Information Commission.

Eccl: Copy of Order in 2 pages.