

GOA STATE INFORMATION COMMISSION

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

Appeal No. 21/2007-08/GU

Dr. G. C. Pradhan
F-1, Ashoka - II, Vasudha Colony,
P.O. Bambolim Complex,
Alto Santa Cruz - Goa.

..... Appellant.

V/s.

1. Public Information Officer,
The Registrar, Goa University,
Taleigao Plateau - Goa.
2. First Appellate Authority,
The Vice-Chancellor, Goa University,
Taleigao Plateau - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 30/07/2007.

Appellant in person.

Adv. Ashwini Agni for both the Respondents.

ORDER

This order disposes off the second appeal dated 18/06/2007 filed by the Appellant. His grievance is that the documents requested by him on 26/02/2007 were not given to him by the Respondent No. 1 who is the Public Information Officer and that the first appeal dated 20/4/2007 to the Respondent No. 2 is not disposed off.

2. Notices were issued and the Respondents have submitted the reply. The Appellant also submitted a rejoinder.

3. The brief point is whether all the documents requested by the Appellant have been given or not. He requested information on 5 points asking for copies of 8 documents. The first point was replied to by the Public Information Officer and for the remaining points, the Appellant was asked to come and inspect the

... 2/-

files. The exact words are "With reference to paras 2, 3, 4, 5 and 6, the information on the issues raised by you are available in the files, which you are free to go through, on making a formal request to the University". The contention of the Appellant is that he has asked for specific information and there is no need for him to go through the files. On the other hand, the Advocate for the Respondents contented that the information asked for are not in nature of information but "argumentative in nature". According to the Respondent No. 1 these are the inferences drawn by the Appellant and are not genuine information. As an example we can see whether it is so for the question No. 2. The question No. 2 says the following: -

- (a) The reasons for the Registrar not sending the File to the Vice-Chancellor as required under the rule.
- (b) Certified copy of the rule that has conferred power upon the Registrar to approve appointment of Lecturers.
- (c) Certified copy of the rule that allows issuing of such letter of approval of appointment of lecturers without approval of the Vice-Chancellor.

From the above, we can see that the clause (a) is not an inference by the Appellant but an observation of the Appellant after seeing the records provided to him during inspection that the file in question was not submitted to the Vice-Chancellor. He has asked for the reasons for the same which have to be answered by the Public Information Officer. Similarly, the information asked under para 2 (b) and (c) are regarding the delegation of the powers to the Registrar to approve the appointment of the lecturers. A clear answer is possible to be furnished to these queries, namely, whether or not such delegation is made in favour of the Registrar. If there is no such delegation, reply has to be given in so many words, if there is any rule or delegation, a copy can be provided on payment of fees. All other questions for which no information is given to the Appellant are also similar in nature. Therefore, we are not in position to agree with the contention of the Respondents. The appeal, therefore, succeeds and we direct the Respondent No. 1 namely, Public Information Officer of the Goa University to give the information requested in 15 days time.

4. Before we part with the case, we would like to mention that it is not proper for the Vice-Chancellor not to pass any order as the first Appellate Authority. It is also not proper not even file a reply. The first Appellate Authority failed to discharge his statutory responsibility. We hope he will take due notice of this observation for future guidance.

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

Sd/-
(G. G. Kampli)
State Information Commissioner, GOA.

/sf.
sf./km.