

GOA STATE INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji-Goa

Appeal No. 21/2008

Dr. U. A. Vinay Kumar,
Reader in Philosophy,
Goa University, Taligao Plateau - Goa.

..... Appellant

V/s

1. The Public Information Officer
The Registrar,
Goa University,
Taligao Plateau - Goa.

..... Respondent No.1..

2. The First Appellate Authority
The Hon'ble Vice Chancellor,
Goa University,
Taligao Plateau - Goa.

..... Respondent No.2..

CORAM:

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

(Per G. G. Kambli)

Dated: 30/07/2008

Appellant in person

Adv. Mrs. A. A. Agni alongwith Adv. Ashwini Agni, for the Respondents.

ORDER

A request dated 4/02/2008 was made by the Appellant to the Respondent No. 1 under the Right to Information Act 2005 (for short the Act) seeking certified copies of the Outward Entries of the Department of Philosophy for the period from 5/06/2003 to 14/06/2003 and the personal inspection of the said relevant book where the said entries were made. The Respondent No. 1 by his letter dated 11/02/2008 informed the Appellant that the information sought by him of the Inward entries of the Department of Philosophy are not found in the department office. Subsequently the Respondent No. 1 corrected the word "Inward" as "Outward" vide his letter dated 23/02/2008.

2. Feeling aggrieved by this letter of the Respondent No. 1, the Appellant preferred an Appeal before the Respondent No. 2 on 12/03/2008.

As the Appellant did not receive any decision from the Respondent No. 2

...2/-

within 30 days from the date of the filing an appeal, the Appellant has filed the present second appeal under section 19 (3) of the Act. In response to the notice issued by the Commission, the Respondents filed their replies and in replies the Respondents stated that the first appeal filed by the Appellant on 4/02/2008 was disposed off on 4/03/2008 and that the information sought by the Appellant are not found in the Philosophy Department office. It is also stated in the reply that the Clerk working in the Department of Philosophy had informed that the Appellant took away some registers stating that the same were required for some inquiry. She also stated that she has opened new Outward & Inward registers from 11th October 2007.

3. During the hearing, the Appellant contended that he has taken certain registers from Clerk working in the Department of Philosophy for inquiry which were returned. He says that he has not taken away Outward /Inward register in respect of which he has sought information. He has denied the allegation that he has taken away Inward & Outward registers of the Department of Philosophy. Mrs. A. A. Agni, Learned Advocate for the Respondents submitted that in the absence of the relevant records it is not possible to provide the information to the Appellant. She further contended that the Appellant cannot insist for the supply of information in respect of the documents which are not available. She further added that the question of making the document available for inspection doesn't arise as the documents are not available. The Appellant is also denying of having taken away these registers.

4. Therefore, we hereby direct the Respondent No. 1 to file a complaint to the Police about missing of the said records so that police can investigate into the matter, and take appropriate action, within two weeks from the date of this order.

5. Pronounced in the open Court on this 30th day of July, 2008.

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

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

