

GOA INFORMATION COMMISSION

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

Appeal / 28 / SIC / 2008 / _____

Shri Subodh S. Sawant,
B-2, Shanti Campus, Nr. Mehul Talkies,
Nr Mahesh Tutorials, Mulund,
West, Mumbai - 400 080

..... Appellant

V/s

1. The Public Information Officer,
Shri Pramod D. Bhat,
In the Office of The Administrator of Devasthans,
Bicholim Taluka,
Bicholim - Goa.

..... Respondent No.1..

2. The First Appellate Authority,
Shri Arvind V. Budge,
The Deputy Collector & S.D.O.,
Bicholim Sub-Division,
Bicholim - Goa.

..... Respondent No.2..

CORAM:

Shri G. G. Kambli
State Information Commissioner

(Per G. G. Kambli)

Dated: 06/08/2008.

Appellant in person.

Both the respondents in person.

ORDER

This disposes off the Appeal filed by the Appellant under section 19(3) of the Right to Information Act, 2005 (for short the Act). The facts of the case in brief are that the Appellant by his application bearing reference No. 1 dated 04/02/2008 requested the Respondent No. 1 to provide him names of the persons submitted by the purported President, purported Secretary and purported Treasurer of Shree Saptaktoeshwar Devasthan of Narva, Bicholim to be included as Mahahans of the said Devasthan. As can be seen from the Application dated 04/02/2008 under reference No. 1, the Appellant sought the information for the period from 01/04/2004 to 01/02/2007.

...2/-

2. The Respondent No. 1 forwarded the said application of the Appellant to the Administrator of Devasthan of Bicholim Taluka under section 6 (3) of the Act. However, the Appellant did not receive any reply either from the Respondent No. 1 or from the Administrator of Devasthan Bicholim Taluka. Therefore, the Appellant approached the Respondent No. 2 by way of first Appeal on 02/04/2008. The Respondent No. 2 also failed to communicate his decision within the time specified in sub-section (6) of section 19 of the Act. Hence the present 2nd Appeal.

3. Upon issuing the notices, the Appellant as well as both the Respondents remained present in person. On inquiry with the Respondent No.1, the Respondent No.1 clarified that there is no separate Public Information Officer in the Office of the Administrator of Devasthan and the Mamlatdar of Bicholim is appointed as Public Information Officer under the Act for the entire Office of the Mamlatdar. Since the Mamlatdar of Bicholim is the Public Information Officer for the entire Office including Devasthan section it was not proper on the part of the Respondent No. 1 to transfer the application to himself as Administrator of Devasthans.

4. The Respondent No. 1, therefore, was directed to give a suitable reply to the Appellant within a week time and file Compliance report to the Commission on 30/07/2008. Accordingly, the Respondent No. 1 filed the Compliance report along with the copy of the letter sent to the Appellant. It is seen from the reply sent to the Appellant, the Respondent No. 1 informed that no such list for inclusion as Mahajans has been received from the Devasthan committee. Therefore, the information sought by the Appellant has been provided to the Appellant though belatedly.

5. In the result, nothing survives in the appeal and the same stands accordingly disposed off.

6. Pronounced in the open Court on this 6th day of August, 2008.

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