

GOA INFORMATION COMMISSION

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

Appeal No. 47/2007-08/Sports

Shri. Rabindra A. L. Dias
Dr. Pires Colony, Block 'B',
Cujira, Santa Cruz - Goa.

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Appellant.

V/s.

1. Public Information Officer,
Smt. Juliana Gujrao e Colaco,
The Assistant Director (Project),
Directorate of Sports & Youth Affairs,
Campal, Panaji - Goa.
2. First Appellate Authority,
Dr. Susana De Souza,
The Director,
Directorate of Sports & Youth Affairs,
Panaji - Goa.

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Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 15/11/2007.

Appellant in person.

Shri. Ashok Gaonkar, Asstt. Director (Sports), authorized representative
for both the Respondents present.

ORDER

The Appellant is aggrieved that the full information was not provided to him by the Respondent No. 1 which was requested by him in various letters notably letters dated 22/7/2006 and 29/1/2007 followed by another letter dated 16/2/2007. The Appellant wanted to know information on nine questions. The Public Information Officer has given the information after some delay by various letters dated 7/9/2006, 18/9/2006 and finally on 9/2/2007. Not satisfied with the replies, a first appeal was made by the Appellant on 22/2/2007 which was not disposed off by the Respondent No. 2. He had, thereafter, filed this present second appeal on 3/8/2007. He also filed an application for condonation of

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delay citing health reasons and enclosing medical certificate from Goa Medical College which certified illness from 13/4/2007 till 8/6/2007 when he was finally declared fit. The condonation application was not opposed by the Respondents and in view of the medical certificate submitted by the Appellant, we are condoning the delay and considering the appeal on merits.

2. On notices having been issued, the Appellant appeared and argued his case. Shri Ashok Gaonkar, Asstt. Director (Sports), authorized representative appeared on behalf of both the Respondents and filed written statements. The say of the Respondent No. 1 as well as Respondent No. 2 is that all the information was given to the Appellant.

3. During the course of arguments as well as in the prayers of the second appeal memo, the Appellant contended basically two points. Certain sports' material was issued to a sports team going to Ranchi, the details of which were asked for by the Appellant and were given by the Respondent No. 1. It is the contention of the Appellant that some of the material was given at "Angley sports" show room and certain other material was issued at the store room of the Directorate of Sports and Youth Affairs. Hence, the statement by the Public Information Officer that all the material was given at the Department store room is, therefore, not correct. Similarly, he has also stated that certain material which is stated to have been issued to the Goal Keepers like "shin guards" and the "abdominal guards" are normally not issued to the Goal Keepers but are stated in the reply of Public Information Officer as having been issued to the Goal keepers. According to him this is wrong information and the Public Information Officer should be punished for giving this wrong information.

4. The Respondents' representative submitted that whatever information they have given is based on the certificates of the store keepers and complete information was given by them and they have neither withheld any information nor gave any incomplete information. We have gone through the papers and find that the information requested has already been given by the Public Information Officer though at different times and that the contention of the Appellant that the issuance of certain sports materials to the Goal Keepers is wrong is outside the scope of the provisions of the Right to Information Act, 2005 (for short the RTI Act). The Appellant, thereafter, stated that Rs.6/- was

collected from him illegally as the material was supplied to him after the time limit was over. We have already held that the provision of section 7(6) of the RTI Act are attracted only in case of documents requested are under section 7(5) of the RTI Act. As this is not the case here, the Appellant is not entitled to information free of cost even if it is given after the time specified. We are, therefore, constrained to dismiss the appeal as having no merit. Accordingly, the appeal is dismissed.

Pronounced in the open court on this 15th day of November, 2007.

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

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

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