

GOA INFORMATION COMMISSION

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

Appeal No. 57/2007-08/CPD

Shri Allan Falleiro
H. No. 400, Toleband,
Loutolim, Salcete - Goa.

..... Appellant.

V/s.

1. Public Information Officer,
The Hydrographic Surveyor,
Captain of Ports Department,
Panaji - Goa.
2. First Appellate Authority,
The Captain,
Captain of Ports Department,
Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 25/10/2007.

Appellant in person.

Respondent No. 1 and 2 also in person.

ORDER

This order disposes off the second appeal filed by the Appellant requesting the name and technical qualifications of the Approver of ship drawings and technical qualifications of the Surveyor of the Captain of Ports Department. He requested the Public Information Officer on 28/5/2007 for the information which was initially denied by the Public Information Officer. His exact words were "it is conveyed that the technical qualification of the Approvers and the Surveyors is not known". Aggrieved by this refusal, the first appeal has filed by the Appellant to the Respondent No. 2 on 1st July, 2007. A hearing was supposed to have been held on 9/8/2007 before the Respondent No.2. The outcome of this hearing is not known as no Appellate order was filed either by the Appellant or the Public Information Officer or the Respondent No.2. However, a letter was sent subsequent to this hearing, by the Public Information Officer to the Appellant on 14/8/2007 making a mention of the first appeal filed by the Appellant. This time, he has given the technical qualification of the Approver/Surveyor as "Master Foreign Going". The copies of the qualification

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certificates of the Approver and Surveyor of the Department were not sent to the Appellant. Not satisfied with this reply, the present second appeal is filed. The main grievance of the Appellant is that he did not have the copies of the technical qualification of the Approver/Surveyor of the vessels register/inspected by the Captain of Ports, Goa.

2. On issuance of notices, the Appellant as well as both the Respondents were present in person. The Respondent No. 1 filed his reply whereas there is no reply from the Respondent No. 2. During the course of hearing, the Respondent No. 2, though present briefly, excused himself from the hearing on urgent official work.

3. There is no dispute that the Captain of Ports, Respondent No. 2 herein, is the Department's Surveyor of Ships. It appears that he also approves the drawings of the ships while under construction/repairs. When this was stated by the Appellant, there is no denial from the Public Information Officer. The Respondent No. 2 herein as mentioned above, stayed away from the hearing. The statement of the Appellant, therefore, is taken as correct. As to the supply of the copies of the qualification of Captain A. P. Mascarenhas, the Department's Surveyor, the Respondent No. 1 submitted that the Department does not have it, therefore, he cannot furnish any such copies. The Respondent No. 2 is also the Head of the Department whose service matters are dealt with by the Department of Personnel, Government of Goa which maintains the personal files of all the Heads of Departments including the qualifications and certificates thereof. We, therefore, direct that the Under Secretary (Personnel) to make available the copies of all the qualifications certificates of Captain Mascarenhas, Captain of Ports, to the Appellant within a week's time from the date of the receipt of this order which should also be forwarded to him. Necessary fees may be calculated and informed to the Appellant and only thereafter, copies may be provided to him on payment of fees. The appeal is partly allowed. A copy of this order should be sent to the Under Secretary (Personnel).

Pronounced in the open court on this 25th day of October, 2007.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner

/sf.