

GOA STATE INFORMATION COMMISSION

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

Appeal No. 90/2006/TCP

Goa Environment Action Group,
2nd Floor, Karekar Bldg.,
Angod, Mapusa - Goa.

..... Appellant.

V/s.

1. Public Information Officer
Town Planner,
Town & Country Planning Dept.,
Mapusa - Goa.
2. First Appellate Authority
Chief Town Planner,
Town & Country Planning Dept.,
Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Under Section 19 (3) of the RTI Act, 2005 (Central Act 22 of 2005)

Dated: 21/03/2007.

Appellant through its General Secretary.

Respondent No. 1 absent.

Authorized representative of Respondent No. 2 present.

ORDER

This is a second appeal filed by the Goa Environment action Group through its General Secretary against the order dated 13/2/2007 of Respondent No. 2 who is the first Appellate Authority. Earlier, the Public Information Officer by his letter dated 26/12/2006 did not give the information as sought by the applicant by letter dated 15/12/2006.

2. Notices were issued and Respondent No. 1 did not appear. The Respondent No. 2 filed a written statement stating that he has directed the Public Information Officer to give the information on receipt of further details from the

...2/-

Appellant. The Appellant appeared in person and argued his case. Under Section 6(1) of the Right to Information Act, 2005 (for short RTI Act) a person shall make an application requesting information alongwith the prescribed fees. The fee is Rs.10/- as prescribed by Goa Government. The particulars of the information should be specified in the application submitted by "him or her". The first proviso to clause (b) of sub-section (1) of Section 6 states further that the State Public Information Officer shall render reasonable assistance to the persons making the request orally to reduce the same in writing. Further, as per sub-section (2) thereof, though the applicant need not give any reason for requesting the information or any other personal details, he should inform the Public Information Officer the address that is necessary to contact "him". All these pronouns used consistently in the law make it very clear that the application has to be made by only a natural citizen though the word "person" is mentioned in various sections of the Act. No legal person like a company or society or a association of persons can approach the Public Information Officer for information. This was already held by us while disposing a complaint No. 25/2006 earlier. The Appellant in this case is a registered society with a Registration No. 6/98. Shri Floriano C. Lobo signed the second appeal as the General Secretary of the above society. It is, therefore, clear that the Appellant is not entitled to any information under the RTI Act. The appeal therefore, is rejected as not maintainable. Parties to be informed by post.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner