

INQUIRY No.10/2012

IN

Comp. No.467/SIC/2010

Goa State Information Commission,
Shrama Shakti Bhavan, Gr. Floor,
Patto, Plaza, Panaji -Goa.

Date:- 23/08/2012

Legal Section

Forward No.

297

Date:

30/8/12

1. Shri Solano Da Silva,
R/o.Alto Porvorim,
Bardez - Goa
2. The Public Information Officer,
Goa University,
Taleigao Plateau,
Tiswadi - Goa

Sir,

I am directed to forward herewith copy of the Order dated **20/07/2012** passed by the Commission in the above referred case for your information and necessary action.



Yours faithfully,

A handwritten signature in black ink, appearing to read "P. K. Velip Kankar".

(P. K. VELIP KANKAR)

Secretary

Goa State Information Commission,
Panaji-Goa

Encl:- copy of order in 4 pages

Pls pass

②

30/8

Handwritten signature and initials, possibly "A. N. P.", with a date "30/8" below it.



**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri M. S. Keny, State Chief Information Commissioner

INQUIRY No.10/2012

IN

Comp. No.467/SIC/2010

Shri Solano Da Silva,
R/o.Alto Porvorim,
Bardez - Goa

... Complainant

V/s.

The Public Information Officer,
Goa University,
Taleigao Plateau,
Tiswadi - Goa

... Opponent

Complainant absent
Opponent present.

ORDER

(20/07/2012)

1. By order dated 13/01/2011, this Commission gave an opportunity to the complainant to prove that information furnished is incomplete, incorrect, misleading etc.

2. This Commission on 9/3/2011 directed the opponent to produce the records. Accordingly records were brought. The complainant as well as his advocate checked the records. The Complainant on 21/6/2011 filed an application praying certain documents from the file that is :-

(i) Documents bearing No.Gu/III/RTI/2010/99 dated 22-3-10 at pg. No.228/C of the file

(ii) Document bearing No. Gu/III/RTI/2010/1006 dated 26/3/2010 at page No.100/C of the file

(iii) File notings dated 2-3-2010 at page No.70/c of the file.

According to him they are necessary for the purpose of inquiry.

3. Heard Adv. Shri Y. Naik for the Complainant and Adv. Ms. A. Agni for opponent. They advanced elaborate arguments.

4. I have perused the records of the case. According to advocate for opponent such documents cannot be furnished at this stage. Under R.T.I. only available information is to be furnished. The P.I.O. has to furnish the information as held by public authority. The P.I.O. is the Communicator of Information based on records.

Coming to the application seeking documents, under R.T.I. what is sought is to be furnished. No additional documents can be furnished so also no new documents could be furnished at the appellate stage. In case the Complainant needs the same, he will have to make a request afresh.

5. Coming to the aspect as to whether the information furnished is false, incorrect, misleading etc.

It appears that complainant had filed certain application seeking information on 26/2/2010. One application had about 8 points/items i.e. Sr. No.1 to 8; other 6 points Sr. No.1 to 6 and other 7 points/Sr. No.1 to 7. Accordingly replies were filed on 22/3/2010, 27/3/2010 and 27/3/2010 thereby furnishing information. The present application was filed on 19/5/2010. The information was sought in respect of Complainant's R.T.I. application dated 26/2/2010 and reply of

the P.I.O. dated 22/3/2010. I have perused the same. That is the reply furnished particularly query No.8.

The application/present dated 19/5/2010 consists of 3 points. (1) Whether it was placed before any of them

(2) Whether question No.8 was placed before any authority. The authorities are mentioned. And the

(3) is about file, noting in response to the said question No.8.

The reply is furnished on 18/6/2010 thereby furnishing information. Two annexures i.e. I and II were also enclosed.

The complainant asked straight forward questions to which specific reply was furnished. No internal correspondence was sought.

In case complainant wanted something else he could ask specifically. Under R.T.I. request should be specific.

I do agree with Adv. Y. Naik when he contends that the letters sought are important, however, under R.T.I. the same cannot be given at this stage of inquiry. Besides under R.T.I. as pointed available information is to be furnished as sought by the applicant.

The P.I.O. has furnished what is sought.

6. I have also perused the said letter i.e. three letters pointed by complainant. The same were not asked. Besides considering the information sought and the information furnished, I do not think that false and misleading information

is furnished. Even other wise considering the frame of questions the benefit is to be given to the P.I.O.

11. In view of the above, I pass the following order :-

ORDER

In view of the above, the inquiry proceedings are disposed off.

The proceedings are, accordingly, disposed off.

Pronounced in the Commission on this 20th day of July, 2012.



Sd/-
(M. S. Keny)
State Chief Information
Commissioner

