

GOA STATE INFORMATION COMMISSION AT PANAJI
Seventh Floor, Kamat Towers, Patto, Panaji –Goa.

Complaint 427/SCIC/2010

Mrs. Teresa Dinesh Vaghela,
2nd Floor, Navagauri Bldg.,
Opp. ICICI ATM,
Alto Porvorim,
Bardez-Goa -403521

.....

Complainant

V/s

The Public Information Officer,
Executive Engineer (Plng.)
Electricity Department,
Panaji –Goa.

.....

Opponent.

CORAM: Shri. Prashant S. P. Tendolkar, State Chief Information
Commissioner.

Smt. Pratima K. Vernekar, State Information
Commissioner.

Filed on : 26/04/2010

Disposed on: 29/09/2016

O R D E R

1) The facts in brief as pleaded by the complainant are that by her application, dated 06/05/2009 she sought certain information from the opponent. Said application was forwarded to executive engineer Div XV (Civil) Panaji and Assistant Engineer Sub Div III for providing information to the respondent. By another notice dated 27/05/2009 the third party, in respect of whom the information was sought, was notified and finally by letter, dated 04/06/2009 the complainant was informed that the said information cannot be given.

2) Subsequently, the order passed by the First Appellate authority on 03 /07/2009 the said information was order to be furnished. It is the grievance of the complainant that though the said information was ordered to be furnished, no full information was furnished and hence

...2/-

a complainant came before this Commission for an order to furnish the information. A writ Petition was filed by the third party against the order of this Commission for direction to furnish the information which resulted in a dismissal whereby the order to furnish the information was upheld.

3) It is pursuant to this order in the Writ petition that the complainant has approached this commission by this complaint seeking proper action against the PIO.

4) The parties were notified. Initially the complainant's representative remained present. The PIO was also present and submitted that the information sought for was already furnished and under the instruction of this commission he submitted the copy of the information so furnished to the complainant, before this Commission. The complainant was directed to collect the said information and to report whether his application filed under section 6(1) dated 06/05/2009 stands fully complied. In spite of this direction the complainant failed to inform and hence this Commission held that the statement made by the PIO that the information has been fully furnished as true. The matter thereafter was kept for enquiry to enable the complainant to prove that the denial and delay in furnishing the information was malafide.

5) In spite of the opportunity the complainant failed to attend this commission and to prove that the information as was furnished was false misleading or was purposely delayed thereby failing to discharge such burden.

6) In the above circumstances we have no option then to conclude that the allegation of the complainant that the information was

...3/-

malafidely delayed, as not proved. Consequently, we find that the complaint cannot continue.

In the above circumstances complaint stands closed.

Notify the parties. Proceedings closed.

Pronounced in open proceedings.

Sd/-
(Prashant S. Prabhu Tendolkar)
State Chief Information Commissioner
Goa State Information Commission
Panaji-Goa

Sd/-
(Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission
Panaji-Goa