

GOA STATE INFORMATION COMMISSION

Kamat Towers, seventh Floor, Patto, Panaji, Goa

CORAM : Shri. Prashant S. P. Tendolkar ,
State Chief Information Commissioner
Smt. Pratima K.Vernekar,
State Information Commissioner

Complaint No.46/SCIC/2016

Shri Sushant P. Nagvenkar,
H. No.C-312, Fondvem,
Ribandar-Goa.

..... Complainant

V/s

The State Public Information Officer,
Electrical Div-I, (O&M),
Vidyut Bhavan,
Panaji -Goa.

..... Opponent

Filed on: 05/10/2016.

Decided on: 21/02/2017.

O R D E R

1. The complainant here in has filed this complaint after disposal of the appeal filed by him pertaining to his application under section 6(1) dated 16/10/2015. It is the case of the complainant that while disposing the said appeal this Commission has directed the PIO to furnish to the appellant the information sought by him vide his application dated 16/10/2015 on or before 27/09/2016.

2. It is the grievance of the complainant that under the colour of compliance of the said order the PIO has made certain communication to the complainant which does not amount to providing of the information. According to him the information now provided is not of the concerned premises. According to the Complainant the PIO has resorted to acts, disregarding the provisions of RTI Act. Hence the complainant has prayed for a direction to furnish the records in connection with the information sought by the complainant and that the public authority be directed to maintain the records in line with the provisions of section 4 of the Act.

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3. In the course of proceedings of this complaint on 22/11/2016 the complainant confirm that the information as sought by him is furnished. The complainant has filed written arguments. As per the said submissions documents provided to query No.3 is not acceptable. However in his argument he submitted that the public authority be directed to comply with section 4 (1) (b) of the act. We have perused the records. The present complaint is not a complaint as provided under section 18 of the Act but appears to be a grievance of the complainant for not fulfilling the order passed by this commission in the appeal, hence this cannot be said to be the proceedings strictly in section 18 of the Act.

4. However, as the complainant has sought for direction to comply with the provisions of section 4(1) (b) of the act, we find that such an exercise is required to be undertaken but the PIO is not the authority to whom such direction are given but, it should be to the authority itself. In the circumstances we find that the present complaint is not maintainable and hence is disposed accordingly.

Proceeding closed.

Announced in the open proceedings.

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

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