

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

CORAM: Shri Juino De Souza: State Information Commissioner

Complaint No. 08/2019/SIC- II

Adv. Maria G. Fernandes,
E 402, Saldanha Business Towers,
Mapusa Court Junction,
Mapusa Goa. 403507.

..... Complainant

v/s

1. The State Public Information Officer,
The Asst. Engineer, (Tech),
Electricity Dept. – VI,
Mapusa Goa 403507.

2. The Asst. Engineer Sub Division
III (R), Division VI,
Mapusa – Goa

.... Opponents

Relevant emerging dates:

Date of Hearing : 09-05-2019

Date of Decision : 09-05-2019

ORDER

1. **Brief facts of the case** are that the Complainant Adv. Maria G. Fernandes had filed an RTI application dated 07/09/2018 addressed to the PIO Executive Engineer, Electricity Department, Mapusa Goa seeking certain information under section 6(1) of the RTI Act.
2. The information sought is at three points viz: (a) How many applications for change of names of domestic electricity connection, were accepted at Section Office, Aldona Goa, in the month of November 2016. (b) Name and Designation of officer responsible for taking action thereon the applications. (c) What action if any, was taken in each of the said application? Details of action taken thereon the said applications, along with copies of correspondence and documents, if any.
3. It is seen that the PIO vide reply No.14/7/2018-19/Tech/Div.VI/RTI-92/283 dated 05/10/2018 has furnished information in tabulation form.

4. The PIO with respect to point No.1 has stated that the information is not within the purview of the RTI Act. With respect to information at point number 2, it was informed that the name and the designation of the officer are the Engineer and the Jr. Engineer and with respect to information at point No.3 it was informed that the information sought does not fall within the purview of RTI Act.
5. Not satisfied with the reply, the Complainant filed a First Appeal on 08/11/2018 and the First Appellate Authority (FAA) vide order dated 06/12/2018, disposed off the First Appeal by directing the PIO to furnish the required information to the satisfaction of the RTI Applicant (Appellant) within a week's time.
6. Being aggrieved that despite the Order of the FAA, the PIO has not furnished the desired information within the stipulated time period, the Complainant has thereafter filed a Complaint case with this Commission registered on 29/01/2019 and has prayed that the Respondent be ordered to take immediate step to secure compliance of the order of the FAA and imposing penalty, disciplinary action and other reliefs.
7. **Hearing**:-During the hearing the Complainant Adv. Maria G. Fernandes is present in person. The respondent PIO, Shri. Pradeep Narvekar (Ex. Engineer), Dennis Rodrigues (Jr. Engineer), and Reecha Shetye (Jr. Engineer). The FAA is absent.
8. **SUBMISSIONS**: At the outset the Complainant submits that she is only interested in receiving information at point number 3. The Respondent PIO submits that all information as is available has been furnished to the Complainant. It is further submitted that with regards to information at point number 3, a list of 9 cases comprising of about 240 pages of information documents were collected and hands over the entire bundle to the Complainant during the hearing and which the complainant receives by endorsing her signature on the duplicate copy of the covering letter. ...3

9. The Complainant after going through the information documents provided expresses satisfaction, however seeks a clarification regarding the number of cases, more so in view that the PIO had informed that there were 11 cases and the information furnished is only on 9 cases. The PIO clarifies that there are only 9 such cases and not 11 cases as was mentioned inadvertently. The Complainant, however insists on a written clarification to clear the ambiguity.
10. **DECISION:** The Commission directs the PIO to give a written clarification to the Complainant by clarifying that the number of cases with regard to information at point number 3 is 9 cases and not 11 cases which came to be mentioned inadvertently. The said clarification should be furnished within 20 days of the receipt of the Order, latest by 04th June 2019. The PIO will file a compliance letter with the Commission after sending the clarification.

With these directions the Complaint case by consent stands closed, consequently, the prayer for penalty, disciplinary action stand rejected.

Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

Sd/-

**(Juino De Souza)
State Information Commissioner**