

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

**Penalty Case No. 16/2009
In
Complaint No. 57/SCIC/2008**

Shri Atmaram Dinanath Naik,
H. No. 54, At Kamral,
Curchorem – Goa

... Complainant.

V/s.

Public Information Officer,
Chief Officer,
Curchorem-Cacora Municipal Council,
Curchorem – Goa

... Opponent.

Complainant absent.
Opponent in person.

Dated: 12.03.2010

ORDER

By Order dated 22.09.2009 passed in Complaint No. 57/SCIC/2008 the Opponent was directed to provide information at point No. 1, 2, 3, 4 and 5 of the request dated 12.03.2008 and at the same time a show cause notice was issued to the then Chief Officer, Shri Johnson Fernandes.

2. The Opponent on 14.10.2009 in compliance to the Order dated 22.09.2009 provided the information at Sr. No. 1, 2, 3, 4 and 5. Regarding the show cause notice, Shri Fernandes submitted the reply stating that he was holding additional charge as Chief Officer w.e.f. 13.03.2008 to 26.05.2008 and the application under the RTI Act was received in the office on 12.03.2008 and was marked to the concerned dealing hand to prepare the information and supply to the Complaint and that as he was having two duties as Chief Officer and Dy. Collector & SDO, Quepem, he could not follow with the dealing hand who, in turn, did not bring to his notice and that there was no deliberate intention to hide any information as he had no interest in the matter.

...2/-

3. Considering that Shri Fernandes was holding additional charge as Chief Officer for a short period from 13.03.2008 to 26.05.2008 and the information sought was submitted on 12.03.2008 and the fact that the dealing hand to whom the application was referred has not pursued the matter, it cannot be said that the then Public Information Officer intentionally did not provide the information to the Complainant. However, the Public Information Officer, Shri Johnson Fernandes to be careful in future while dealing applications under RTI Act even if he holds charge as Public Information Officer for a short period.

4. Since the information was provided at Sr. No. 1, 2, 3, 4 and 5 by the Opponent and the Public Information Officer did not intentionally provide the information to the Complainant, there are no reasons to proceed further and the penalty proceedings are dropped.

Sd/-
(Afonso Araujo)
State Information Commissioner

