

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Appeal No. 63/SCIC/2010

Mr. Sadanand D. Vaingankar,
304, Madhalawada, Harmal,
Pernem – Goa 403524.

.... Appellant

V/s

Public Information Officer,
Jt. Director of Accounts,
Directorate of Education,
Panaji- Goa &
FAA, Director,
Directorate of Education,
Panaji- Goa

.... Respondent

J U D G E M E N T
(04/06/2010)

1. The Appellant, Shri Sadanand D. Vaingankar, has preferred this Appeal praying that the Respondent be directed to pay fine as applicable, and that Respondents be recommended for disciplinary action under service rules applicable to him and for costs.

2. The brief facts leading to this present appeal are as under:-

That by an application dated 09/11/2009 the Appellant sought certain information under Right to Information Act ('RTI' Act for short). That by letter dated 15/12/2009 Respondent No. 1 informed that on search of old records the required information could not be traced. Being not satisfied the Appellant preferred First Appeal before Respondent No. 2. That by order dated 03/02/2010 the Respondent No. 2 directed the Respondent No. 1 to provide appellant the requisite information free of cost within three days from the date of the order. That on 11/02/2010 the Appellant received the information from Respondent No. 2 dated 09/02/2010. It is the case of the Appellant that he received the information at 63 days of expiry of the prescribed period to furnish the information as per the Act. Hence the present Appeal.

3. The Respondents were duly served. The Respondents did not file any reply. But submitted that information was furnished.

4. Heard both sides. The Appellant submitted that full information has been furnished. He states that he is satisfied with the information and that he has no grievance. He states that he does not press the prayers regarding penalty etc.

5. I have carefully gone through the records of the case and also considered the submissions of both the parties.

It is seen that the information was sought by letter dated 09/11/2009. The information was in connection with an old letter No. DE/GIA-17/1/MG/88-89/2325 dated 02/11/88 and entire file of which this letter is a part No. doubt information refers to a letter of the year 1988. By letter dated 15/12/2009, the Accounts officer/Respondent No.1 informed the Appellant that inspite of the best efforts put in to search the old records the same could not be traced out. Thereafter First Appeal was filed and the Appellate Authority directed to take search and than furnish the information. Accordingly search was taken old file was found and information was furnished by letter dated 09/02/2010. Admittedly there is a delay. It is also true that information pertained to the year 1988. The Appellant was informed that file could not be traced and subsequently the file was traced. The delay occurred under these circumstances.

6. During the hearing the Appellant states that he has received the full information and that he has no grievance about the same and he is fully satisfied about the same. The Appellant states that he does not press the reliefs prayed.

7. In the factual backdrop of this case the Commission feels that there is no need to delve further in the matter. More so when information is furnished. Hence I pass the following order:-

ORDER

No further intervention of this Commission is required as information is fully furnished. Appeal is disposed off.

Prayers (2) (3) and (4) disposed as not pressed for.

The Appeal is accordingly disposed off.

Pronounced in the Commission on this 4th day of June, 2010.

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

