

GOA STATE INFORMATION COMMISSION AT PANAJI

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

Complaint No. 220/SCIC/2010

Shri Kashinath Shetye,
Bambino Building, Alto-Fondvem,
Ribandar, Tiswadi – Goa. Complainant.

V/s.

Public Information Officer,
Department of Community Dentistry,
Goa Dental College & Hospital,
Bambolim-Goa Opponent

Complainant absent. Ms. Sonia Satardekar, representative of Complainant present.

Opponent in person.

ORDER **(17-06-2010)**

1. The Complainant, Shri Kashinath Shetye, has filed this Complaint praying that the information as requested by the Complainant be furnished to him correctly free of cost as per section 7(6) and as per circular and the annexure I to V; that penalty be imposed on the Public Information Officer as per law ; that compensation be granted and inspection of documents be allowed as per rules.

2. That gist of the Complainant's case is as under:-

That the Complainant had filed an application dated 14-01-2010 under Right to Information Act 2005 ('R.T.I.' Act for short) thereby requested the Public Information Officer ('P.I.O.') Department of Information Technology to issue information specified therein, which was transferred as per section 6(3) of the R.T.I. Act, to the Opponent. That the Opponent failed to furnish the required information as per the application of the Complainant and that no inspection of information was allowed. Considering the said non-action on behalf of the Opponent of the R.T.I. Act the Complainant preferred this Complaint on various grounds as set out in the Complaint.

3. The Opponent resists the Complaint and their reply is on record. It is the case of the Opponent that the Opponent has furnished the required information as per request at Sr. No. 3 of the application and it is further stated that no inspection of information was sought by the applicant from their department. It is further the case of the Opponent that the Opponent has even conveyed that they maintain the file movement index as per circular No. 3/5/2009 ARD dated 9/6/2009 received from the office of Chief Secretary.

4. Heard both sides and perused the records.

It is not in dispute that the Complainant filed an application dated 26-2-2010 seeking certain information. It is also not in dispute that the same was transferred to the Opponent herein. It is seen that by letter dated 11-03-2010 the information was sent to the Complainant and he was requested to deposit Rs. 20/- on account of 10 copies.

It is seen from the ground (a) that impugned order is against R.T.I. Act. However, there is no Order as such but information has been sent. In fact the Complaint is premature.

5. I have perused the information sent. It is in the form of Annexure I. When asked the Opponent categorically states that they maintain F.M.I. in five annexure as per the Circular. However since point at Sr. No. 3 was referred she sent only one annexure.

According to the Opponent they can furnish all the annexures.

6. Complainant prays for penalty. It is seen that information is sent in time. Therefore the question of penalty does not arise. Again section 7(6) is not attracted. It is also not known if Complainant has deposited Rs. 20/-

7. Since information is available the same can be given to the Complainant on payment of required fees.

8. In view of all the above, I pass the following Order:-

ORDER

The Opponent to furnish the information sought by the Complainant vide his application dated 26-02-2010 at point No. 3 (Sr. No.3) in five annexure on or before 19/07/2010 .

The Opponent to inform the Complainant and the Complainant on his part to receive/collect the same after complying with the required formalities. Inspection, if any, can be given on a mutually agreed date.

Complaint is accordingly disposed off.

Pronounced in the Commission on this 17th day of June, 2010.

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

