

GOA STATE INFORMATION COMMISSION
AT PANAJI

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

Complaint No. 414/SCIC/2010

Mrs. Eugenia Tavares,
R/o. H.No. 497, Vollant,
Cortalim-Goa.

....

Complainant

V/s

The Public Information Officer,
Village Panchayat Cortalim,
Mormugao Taluka,
Cortalim-Goa.

....

Opponent

Adv. Shri Tushar Parab for the Complainant present.

Opponent present in person.

ORDER

(03-08-2010)

1. The Complainant, Smt. Eugenia Tavares, has filed this Complaint praying that information as requested be furnished to her correctly free of cost as per section 7(6), penalty be imposed on the Public Information Officer as per law and that Compensation be granted as for the detriment faced by the Complainant for not getting the information and also for harassment caused.

2. The brief facts leading to the present Complainant are as under:-

That the Complainant filed an application dated 19/02/2010 seeking certain information under Right to Information Act ('RTI' Act for short). That the Public Information Officer failed to furnish the required information and has given a reply which is incomplete, false, and misleading. Being aggrieved by the said reply, the Complainant has preferred this Complaint on the ground as set out in the Complaint.

...2/-

3. The Opponent resists the application and their say is on record. It is the case of the Opponent that on receipt of the said application the Opponent made efforts to get the documents. However, the same could not be found as the office has been renovated recently and the office records were shifted to another building situated at a distance of 200 meters away from the present office. That the records were misplaced and were not available at the time the Complainant filed the application dated 19/02/2010. It is the case of the Opponent that the Complainant was informed vide letter dated 15/03/2010 that the copy of house tax receipts from 1970 to 2007 were not available. That thereafter on 15/07/2010 again the search was made and some records of the said house were found. That the other query sought was immediately answered. It is further the case of the Opponent that the information sought from 1972 to 1998 is not available in the records of the Opponent. That the Opponent also denied that he failed to furnish information and that the reply is incomplete, false and misleading. According to the Opponent, Complaint is not maintainable.

4. Heard the argument. Advocate Shri Tushar Parab argued on the behalf of the Complainant and Opponent argued in person. It is seen that the Complainant sought certain information vide his letter dated 19/02/2010, the information consisted of certified copies of House tax receipts from 1970 till 2007 with respect to the house No. 497 besides there was another query. It is seen that by reply dated 15/03/2010 the other query was answered and in respect of house tax receipt it was stated that the same is not available. This reply is in time. It is the contention of the Opponent that their office was renovated and the records was shifted in another building and at the relevant time the relevant records were not available. And as such he could not furnish the information.

5. During the course of the argument Adv. for the Complainant states that he has received full information and he is fully satisfied with the same. He also submitted that he has no other grievances of whatsoever nature.

Since, information is furnished I need not refer to other aspects about maintainability of Complaint etc.

6. In view of the facts that information is fully furnished, no intervention of the Commission is required. Hence I pass the following order.

“No intervention of the Commission is required. The Complaint is disposed off.”

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 3rd day of August, 2010.

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