

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

**Complaint No.391/SCIC/2010**

Shri H. M. Kulkarni,  
Flat No. MG-1, Amrainagar,  
Curti – Ponda –Goa.

..... Complainant.

V/s.

Shri R. M. Ashrit,  
O/o the Executive Engineer,  
Electricity Dept., Div. III,  
Curti Ponda-Goa.

..... Opponent/Respondent.

Complainant in person.

Opponent in person.

**ORDER**  
**(17-08-2010)**

1. The Complainant, Shri H. M. Kulkarni, has filed this Complaint praying for necessary disciplinary proceedings as mentioned in the Complaint.

1. It appears that by letter dated 22/02/2010 the Complainant sought certain information under Right to Information Act 2005('RTI' Act for short) from the Public Information Officer/Opponent. That by letter dated 05/03/2010. the Opponent furnished the information. It is the case of the Complainant that the Public Information Officer has knowingly furnished the false and incomplete information.

2. The Opponent resist the Complaint and his say is on record. It is the case of the Opponent that information is furnished. That the Complainant with ulterior motive has filed the present Complaint. That the grievance of the Complainant regarding payment does not come under Right to Information Act. According to Opponent Complaint is liable to be dismissed.

...2/-

3. Heard both the sides and perused the records. It is seen that the Complainant vide his application dated 22/02/2010 sought certain information from the Opponent. The Opponent furnished the information by letter dated 05/03/2010.

During the course of the arguments, the Complainant states that the information is fully furnished however information at point No. 4(c) (d) and (e) is false and incomplete. Complainant contends that information is incomplete, incorrect and false. This is disputed by the Opponent. According to Opponent information furnished is correct.

4. It is to be noted here that purpose of the Right to Information Act is per se to furnish information. Of course Complainant has a right to establish that information furnished to him is false, incorrect, incomplete etc but he has to prove it so as to counter the Opponent's claim. The information seeker must feel that he got the true and correct information otherwise purpose of Right to Information Act would be defeated. It is pertinent to note that mandate of Right to Information is to provide information - information correct to the core and it is for the Complainant to establish that what he has received is incorrect and incomplete. With this view in mind, I am of the opinion that the Complainant must be given an opportunity to substantiate that information given to him is incomplete, incorrect, false etc as provided in section 18(1) (e) of the Right to Information Act.

6. In view of the above no intervention of this Commission as far as information is concerned is required. The Complainant should be given an opportunity to prove that information is false, incorrect, incomplete etc. Hence I pass the following order:-

"No further intervention, as far as furnishing information is concerned, of this commission is required.

The Complainant to prove that information furnished is false, in correct, incomplete etc.

Further inquiry posted on 29/09/2010 at 10.30 am.

Pronounced in the Commission on this 17<sup>th</sup> day of August, 2010.

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



