

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

**Complaint No.4 17/SCIC/2010**

Mr. Judas Thadeu Themudo,  
H.No.62/C 1<sup>st</sup> Daddio, Telaulim,  
Navelim, Salcete-Goa.

... Complainant

V/s

1) The Public Information Officer,  
O/o Commissioner of Excise,  
Old High Court Bldg.,  
Panaji –Goa.

... Opponent

Complainant absent. His representative Shri Eusebio Braganza present.  
Opponent present.

**O R D E R**  
(04/10/2010)

1. The Complainant, Shri Judas Thadeu Themudo, has filed this Complaint praying that the Opponent be directed to provide the information sought under application dated 19/04/2010 and suitable penalty be imposed on the Opponent under section 20(1) and (2) of the Right to Information Act.

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

That by an application dated 19/04/2010 the applicant has sought certain information concerning the liberty of the appellant from the opponent on 2 points. That the said information was under Right to Information Act 2005('RTI' Act for short). That the application made was with regard to the order passed by the Commissioner of Excise. That the Opponent has not given any response to the Complainant requested for information within the time limit as specified under the Act, which concerned to the liberty of the Complainant. That since the information was not furnished within 48 hours the appellant has preferred the present complaint praying the above mentioned relief.

3. The Opponent resists the Complaint and their say is on record. It is the case of the Opponent that the Complaint is not tenable in law. That the Complainant has approached this Commission with out approaching the Appellate Authority as required

...2/-

under the law. That the Complainant has no locus standii to file the present Complaint as the information was provided within 30 days as laid down under the Right to Information Act. On merits it is the case of the Opponent that the Complainant has not made out any case on grounds for granting information within 48 hours as required under the law i.e. regarding concerns of life and liberty of the persons. That the Complainant filed application on 19/04/2010 and the information has been furnished to him on 17/05/2010 i.e. within the stipulated time. That the present complaint is filed with malafide intention to harass the opponent as the Excise licence was cancelled by the Commissioner of Excise vide its order dated 09/06/2010. That the request for installation of said licence was also rejected.

4. Heard both sides and perused the records. It is seen that application was filed on 19/04/2010 and the information was sought as the same concerns the liberty of the complainant. The information that was sought consisted of order dated 09/06/2009 and another order dated 08/04/2010 it is seen that the information was furnished on 17/05/2010 i.e. with in the stipulate period of 30 days.

To day the Complainant filed an application and submitted that the Opponent was kind enough to provide the information sought as regards to the application dated 19/04/2010. Since information is furnished and since the complainant is satisfied with the same further intervention of this Commission is not required. It is also seen that Complainant has no grievance of whatsoever nature. Apparently there is no delay considering the information is furnished within 30 days. In view of all the above I pass the following order:-

**ORDER**

No further intervention of this Commission is required. The Complaint is disposed off.

Pronounced in the Commission on this 04<sup>th</sup> day of October, 2010.

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



