

GOA STATE INFORMATION COMMISSION
AT PANAJI

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

Complaint No. 446/SIC/2010

Mr. Gamelin Frenandes,
H.No. 66/6,
Pomburpa, Arao,
Bardez –Goa.

.... Complainant

V/s

1) The Public Information Officer,
O/o Executive Engineer,
O & M Elect Department. Div VI,
Govt. of Goa,
Vidyut Bhavan, 3rd flr,
Ansabhat, Mapusa –Goa.

.... Opponent

Complainant alongwith his Adv. S. Palkar present.
Opponent present.

O R D E R
(15/10/2010)

1. The Complainant, Mr. Gamelin Fernandes has filed the present Complaint praying for initiation of inquiry for non-availability of case paper for directing the Respondent to furnish the information and for action under section 20.

2. The brief facts leading to the present Complaint are as under. The Complainant filed an application dated 24/02/2010 under Right to Information Act 2005 (RTI' Act for short) requesting for certain information from the Public Information Officer, Electricity Department, Mapusa-Goa/Opponent. That vide letter dated 30/03/2010 Respondent furnished information only pertaining to installation for Agriculture use. However, in the said letter it was claimed that the case paper file pertaining to domestic installation release to Michael Fernandes was not available in the Office. It is the case of the Complainant that Respondent is evading furnishing the requested information for the reasons best known to him. That the act of not furnishing the requested information tantamount to defiance of the very object and tenor of the Right to Information Act. Being aggrieved the Complaint has preferred the present Complaint.

...2/-

3. In pursuance of the notice the Opponent remained present. The Opponent did not file any reply as such, however, opponent/Public Information Officer made submission. During the hearing today the Complainant submitted that available information has been furnished to him and that he is satisfied and he has no grievance.

4. I have carefully gone to the records of the case. It is seen that application for seeking information was filed on 24/02/2010. It is seen by letter dated 30/03/2010 the information was furnished to the Complainant. It is seen that information regarding case paper file domestic installation released to Micheal Fernandes is not available in the Office and the same cannot be furnished. It is to be noted that under Right to Information Act only information which is available in the material form is to be furnished. It appears in the instant case that some documents are not available the Complainant too has no grievance and that he is convinced that the same are not available. In view of this position no intervention of this Commission is required. Hence the order:-

O R D E R

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

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 15th day of October, 2010.

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

