

GOA STATE INFORMATION COMMISSION
AT PANAJI

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

Complaint No. 38/SCIC/2010

Shri Kashinath Shetye,
R/o. Bambino Building,
Alto Fondvem, Ribandar,
Tiswadi – Goa

.... Complainant.

V/s

Public Information Officer,
Sports and Youth Affairs,
Campal,
Panaji – Goa

... Opponent.

Complainant in person.
Opponent in person.

ORDER
(26.10.2010)

1. The Complainant, 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 the circular and annexure I to V, that penalty be imposed, that compensation be granted and inspection of documents be allowed.

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

That the Complainant had filed an application dated 14/01/2010 under Right to Information Act 2005 ('RTI' Act for short) thereby requesting the Public Information Officer ('PIO'). Department of Information Technology to issue information specified therein, which was transferred as per section 6(3) of the RTI Act to the Opponent. That the PIO/Opponent No. 1 failed to furnish the required information as per the application of the Complainant and that no inspection of the information was allowed. Considering the non action on behalf of Opponent No. 1 of the Right to Information Act, that Complainant filed the present Complaint on the grounds as set out in the Complaint.

...2/-

3. The Opponent resists the Complaint and their say is on record. It is the case of Opponent that Public Information Officer, Department of Information and Technology vide letter dated 25.01.2010 forwarded the letter received from the Complainant dated 14.01.2010 requesting to furnish the information at Sr. No. 3. That by letter dated 29.01.2010 the Complainant was asked to clarify the date for which File Movement Index is required. It is the case of the Opponent that no First Appeal was preferred. According to the Opponent the Complaint is liable to be dismissed.

4. Heard the Complainant and the Opponent. I have carefully gone through the records of the case. It is seen that the Complainant has sought certain information from the Public Information Officer, Department of Information Technology. By letter dated 25.01.2010 the Public Information Officer, Department of Information Technology transferred the application under section 6(3) in respect of point at Sr. No. 3 so as to give suitable reply, to the Opponent herein. It is seen that by letter dated 29.01.2010 the Complainant was requested by the Opponent to inform the date from which the File Movement Index was required. This reply appears to be in time. It is seen that the Complainant did not clarify however, preferred this Complaint. From the reply it cannot be said that Opponent failed to furnish the information.

5. The main contention of the Complainant is that no information is furnished to him. From the said letter as well as from the said reply it becomes clear that Complainant was asked to clarify about the period. However, the Complainant did not clarify the period.

6. I have perused the circular of the Chief Secretary dated 09.06.2009 copy of which is on record. The same aims at speedy disposal of files and curtails delays and to some extent shows accountability. In any case there is no harm if this is implemented by the office of the Opponent herein. The Opponent also states that they would be maintaining the same. The five annexures mentioned should also be maintained.

7. Regarding the prayers in the Complaint. Prayer (i) cannot be granted in view of all the above. There is no delay as such, therefore, the question of penalty does not arise. So also the question of compensation does not arise. In view of all the above I pass the following Order:

ORDER

The Opponent to follow the said circular dated 09.06.2009 and maintain the File Movement Index as per same and in five annexures I to V. No further intervention of this Commission is required. The Complaint is disposed off.

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 26th day of October, 2010.

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