

GOA STATE INFORMATION COMMISSION

AT PANAJI

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

Appeal No.138/SIC/2008

Shri Subodh Sawant,
B-2, Shanti Campus, Nr. Mehul Talkies,
Nr. Mahesh Tutorials,
Mulund West,
Mumbai – 400 080

... Appellant.

V/s.

1) The Public Information Officer,
Shri Pramod Bhat,
Office of the Mamlatdar,
Bicholim Taluka,
Bicholimz – Goa

... Respondent No. 1

2) The First Appellate Authority
Shri Arvind V. Bugde,
The Deputy Collector & S.D.O.,
Bicholim – Goa

... Respondent No. 2

Appellant in person.

Respondent No. 1 absent.

Adv. K.L. Bhagat for Respondent No. 1.

Respondent No. 2 absent.

J U D G M E N T

(02/11/2010)

1. The Appellant, Shri Subodh Shiwaji Sawant, has filed the present Appeal praying that information be furnished, for penalty and for other reliefs as mentioned in the Memo of Appeal.

2. I need not refer to the facts of the case in detail. It is seen that

...2/-

by Judgment and Order dated 18.12.2008 it is observed as under:

“The Appeal is allowed. The Respondent No.1 is directed to provide the information to the Appellant within one week from the date of this order. The decision on the imposition of penalty is deferred till the complete information is provided to the Appellant. Next hearing is fixed on 08.01.2009 at 11:00am for filing compliance report.”

3. During the course of his arguments Adv. Shri S. S. Sawant/Appellant submits that full information has been furnished.

4. Appellant contends that there is delay. According to Adv. Bhagat there is no delay as such. It is to be noted that decision on imposition of penalty was deferred till the complete information is provided to the Appellant. In any case Public Information Officer is to be given an opportunity to explain the same in the factual backdrop of this case.

5. In view of the above no intervention of this Commission as far as information is concerned is required as the same is already

furnished according to the Appellant. Since there is delay the Respondent No. 1 is to be heard on the same. Hence the Order:

ORDER

Issue notice under section 20(1) of the Right Information Act to Respondent No. 1/Public Information Officer to show cause why penalty action should not be taken against him for causing delay in furnishing information. The explanation, if any, should reach the Commission on or before 25.11.2010. Public Information Officer/Respondent No. 1 shall appear for hearing.

Further inquiry posted on 25.11.2010 at 10:30a.m.

Pronounced in the Commission on this 2nd day of November, 2010.

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