

GOA STATE INFORMATION COMMISSION
AT PANAJI

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

Complaint No. 64/SCIC/2010

Nimesai alias N. Francisco Faleiro,
H.No. 40, Chandrawado, Fatorda,
Margao –Goa.

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Complainant

V/s

Public Information Officer,
Executive Engineer,PWD,
Work Div No.XXV(Roads),
Fatorda, Margao –Goa.

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Opponent

Complainant absent.

Opponent absent.

O R D E R
(16/11/2010)

1. The Complainant, Nimesia alias N. Francisco Faleiro, has filed the present complaint praying for a direction to provide information free of charge and for penal action.

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

That the complainant, vide application dated 05/01/2010, sought certain information under Right to Information Act ('RTI' Act for short) from the Public Information Officer ('PIO')/Opponent. That the opponent did not furnish the information within the prescribed period under R.T.I. Act. Hence the present complaint.

3. The Opponent resists the complaint and their say is on record. It is the case of the opponent that due to exigencies and priority works the said information could not be furnished to the Complainant in time as the staff was busy in providing the details as regards the priority works. That the lapse caused in furnishing the information was not deliberate. The opponent also undertakes that these type of lapses shall not be caused in future by the Department.

4. It is seen that the complaint was filed on 15/02/2010. The same was fixed on 23/03/2010 on which day both complainant and opponent were present and reply

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was filed and matter was posted on 13/04/2010 on which date opponent was absent. Matter was posted on 27/05/2010 on which date both parties were absent. Matter was posted on 05/07/2010, 30/07/2010, 20/08/2010, 01/09/2010, 27/09/2010, 18/10/2010, 27/10/2010 and 16/11/2010. On all these hearings both sides were absent. On 01/09/2010 the opponent remained present and submitted that full information has been furnished. Notices were issued to the complainant as well as opponent but they did not care to remain present. It appears that complainant is not interested in proceeding with the matter.

In any case I shall proceed on the basis of material on record.

5. It is seen that opponent submitted that full information is furnished.

It is seen that by application dated 05/01/2010 the complainant sought certain information. It appears that the same was furnished on 12/04/2010. The complainant from 27/05/2010 till to-day did not appear nor informed the Commission anything. In any case information has been furnished.

6. It appears that there is delay in furnishing information. The opponent has admitted about the same and also stated that the same is due to exigencies and priority of works. The opponent undertakes that they would not repeat the same. In view of this undertaking the delay is to be condoned. Besides the complainant also appears to be not interested in proceeding in the matter.

I have perused the reply from the reply it is evident that there was no malafide intention but due to exigencies of work information could not be furnished in time.

7. In view of the above, no intervention of this Commission is required as information is furnished. Hence I pass the following 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 16th day of November, 2010.

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

