

GOA STATE INFORMATION COMMISSION
AT PANAJI

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

Complaint No. 68/SCIC/2010

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

...

Complainant

V/s

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

...

Opponent

Complainant absent.

Opponent absent.

O R D E R

(16/12/2010)

1. The Complainat, Nimesia alias N. Francisco Faleiro, has preferred this Complaint praying to direct the opponent to provide information free of charge and to direct show cause notice for not responding within time limit.
2. In a nutshell the case of the Complainant is that the Complainant, vide application dated 07/01/2010, requested the opponent to furnish certain information, in the nature of certified copies of work orders alongwith site plans, under Right to Information Act, 2005 ('RTI' Act for short). That the opponent did not furnish the information within the prescribed period under R.TI. Act. Hence the present complaint.
3. The Opponent resists the complaint and the say is on record. It is the case of the opponent that due to office 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 in furnishing the information was not deliberate. That the opponent also undertook that such type of lapse will not be repeated in future.

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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 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.

5. I have gone through the records of the case. It is seen that by application dated 07/01/2010 the complainant sought certain information. It appears that the same was furnished on 05/04/2010. The opponent submitted that full information is furnished.

The Complainant from 27/05/2010 till to-day did not appear nor inform the Commission anything. In any case information is 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 office 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 proceedings 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 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 December, 2010.

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

