

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Complaint No. 460/SCIC/2010

Mr. Rudresh S. Naik,
R/O. Radha Bldg., 2nd flr.,
Nr. Market,
Panaji –Goa.

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Complainant.

V/s

Public Information Officer,
Goa Costal Zone,
Management Authority,
Saligao –Goa.

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Opponent.

Complainant absent. His representative Shri Rupesh Porob present.
Adv. Shri Y. Naik for the Complainant present.
Opponent in person.

O R D E R
(11/01/2011)

1. The complainant, Rudresh Naik, has filed the present Complaint praying that opponent be directed to furnish the information sought by him as per application dated 15/05/2010 and that the same be furnished free of cost; that the opponent be held under disciplinary action for deliberately not entertaining his application etc and for penalty against opponent.

2. It is the case of the complainant that, vide his application dated 15/05/2010, has requested for certain information under Right to Information Act 2005 ('RTI' Act of short) from the Public Information Officer ('PIO')/Opponent. That the opponent failed to furnish or knowingly did not furnish the information to the complainant with malafide intention. Since the opponent has failed to furnish the information the complainant has filed the present complaint.

3. The opponent resists the complaint and their reply is on record. It is the case of the opponent that the opponent has been appointed as Public Information Officer, since 10/06/2010. That the application seeking information was received on

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17/05/2010 and the information sought relates to the applications received by GCZMA with effect from 01/04/2009 to 01/05/2010 and compliance of the same. That the complaint was filed on 18/06/2010. That the Complainant has filed letter in different names all having same address. It is seen that the information has been furnished.

4. Rejoinder to reply has been filed by the complainant. In the said rejoinder the complainant states about delay in furnishing the information.

Reply to the Rejoinder by the opponent is also on record.

5. Heard both sides and perused the records. During the course of hearing, Shri Rupesh Porobo, representative of the Complainant states that the complainant has received the full information. The complainant is satisfied with the same and that complainant has no any grievance. He wants matter to be disposed.

6. It is seen from the record that application is dated 15/05/2010 and the same was received in the office on 17/05/2010. It is seen form the record that at the relevant time, there was no PIO. The PIO was appointed only on 10/06/2010. Exbt A is the relevant part of Government Gazette. Thereafter application was taken. According to opponent information sought was exhaustive and as such it took some time.

7. I need not refer to rejoinder, reply of the Opponent to the rejoinder etc in detail as admittedly there is delay in furnishing information. It is seen from the record that by letter dated 11/06/2010 the opponent informed the Complainant that opponent has taken charge on 10/06/2010 and the information sought by him was vast and extensive and their office was not in a position to submit the requested information in the stipulated time frame. The Complainant filed the complaint on 18/06/2010.

8. Under section 20(1) of the Right to Information Act the information Commission must satisfy itself that C.P.I.O./S.P.I.O. has without reasonable cause: (i) refused to receive an application; (ii) not furnished information within the specified time frame;(iii) malafidely denied information;(iv) knowingly given incorrect, incomplete or misleading information. The PIO/Opponent has given explanation about delay. Besides the Complainant has no grievance. From all these I am inclined to agree with the PIO. That delay caused was not deliberate or without reasonable cause. Besides malafides cannot be attributed to the same. Since complete information is furnished and complainant has no grievance and that the PIO has stated that such delays would not be in future I am inclined to condone the delay.

9. Since information is furnished no further intervention of this Commission is required. Hence I pass the following Order:-

ORDER

No further intervention of this Commission is required as information is furnished. The Complaint is disposed off.

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 11th day of January, 2011.

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

