

GOA STATE INFORMATION COMMISSION

AT PANAJI

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

Complainant No.481/SCIC/2010

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

...

Complainant.

V/S
Public Information Officer,
Goa Coastal Zone Management Authority,
Saligao

...

Opponent.

Complainant absent. His representative Shri Rupesh Porob persent.
Opponent present.

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

1. The Complainant, Shri Rudresh S. Naik, has filed the present complaint praying that opponent be directed to furnish the information sought by him in accordance with his application dated 01/06/2010 and 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 the opponent.

2. It is the case of the Complainant that, vide application dated 01/06/2010 he sought certain information, under Right to Information Act 2005 ('RTI' Act for short) from the Public Information Officer (PIO)/Opponent. That the opponent failed to furnished the information to the complainant as the opponent has not given any response to the request of the complainant, within the stipulated period thus obstructing the access of information as sought by the complainant. Since the opponent has failed to furnish the information the complainant has filed the present complaint.

3. It is the case of the opponent, as per reply on record, that the opponent has been appointed as PIO since 10/06/2010. That the application seeking information was received on 01/06/2010 that the information sought relates to the certified copies of the minutes of the meeting of GCZMA held on 31/05/2010. The Complaint was filed on 22/07/2010. That the complainant ought to have filed an Appeal before the First Appellate Authority as provided

...2/-

under the Act, however, he has deliberately avoided the same. That the Complainant has made letters in different names of different persons all having the same address and sought information so as to conceal his true identity. That the information has been furnished.

4. Rejoinder and reply to the rejoinder of the opponent are on record. Written arguments of the complainant and also of opponent are on record.

5. Heard both sides and perused the records. It is seen that the complainant vide his application dated 01/06/2010 sought certain information i.e. certified copies of minutes of the meeting of GCZMA held on 31/05/2010. By reply dated 11/06/2010 the PIO/Opponent informed the Complainant that the minutes of the meeting are under submission to the Chairman/Secretary (Environment) for his approval and that after the same are approved the same will be provided to him. It is seen that subsequently the information was provided.

During the course of hearing Shri Rupesh Porob, the representative of the Complainant stated that complainant has received the full information. The Complainant is satisfied with the same and he has no grievance of any sort. He wants the matter to be disposed.

6. I need not refer to the rejoinder, reply to the rejoinder in detail as admittedly there is delay in furnishing the information.

7. Under section 20(1) of the RTI 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. 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.

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

O R D E R

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 Information Commission

