

GOA STATE INFORMATION COMMISSION AT PANAJI

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

Complaint No. 362/SCIC/2010

Shri Kashinath Shetye,
Bambino Building, Alto-Fondvem,
Ribandar, Tiswadi – Goa.

..... Complainant.

V/s.

Public Information Officer,
Executive Engineer works Division XII,
Water Resources Department,
Gogol Margao –Goa..

..... Opponent/Respondent.

Complainant in person.
Adv. A. Talauliker for opponent

O R D E R **(16/03/2011)**

1. The complainant, Shri Kashinath Shetye, has filed the present Complaint praying that information as requested by the complainant be furnished to him correctly free of cost as per section 7(6); that the penalty be imposed on the Public Information Officer as per law for denying the information to the Complainant; that compensation be granted and that inspection of documents may be allowed as per rules.

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

That the Complainant had filed an application dated 22/02/2010 under Right to information Act ('RTI' Act of short) thereby requesting the public Information officer, Dy Director Water Resources Department to issue information specified therein of the full WRD which was transferred as per section 6(3) of the Right to Information Act to the opponent. That the opponent failed to furnish the required information as per the application of the complainant and further no inspection of information was allowed after making the information ready. Being aggrieved by the non-action on behalf of the opponent No. 1 of the Right to Information Act the present complaint is filed on various grounds as set out in the complaint.

...2/-

3. The case of the opponent is fully set out in the written statement which is on record. In short it is the case of the opponent that the information sought by the Complainant is very huge and voluminous and therefore it is practically not possible to provide the information to the complainant. That the annexures are not pinpointing and specified and therefore it is difficult to understand the application as to which works the information pertains to. That the application is vague and ambiguous and cannot be literally understood as to which information the appellant wants. That the complainant has not given specific works pertaining to which the information is sought thus putting the SPIO/Opponent in a confusing state of mind. That complainant is required to give the details and that letter dated 11/03/2010 was sent to the complainant. That the complainant did not bother to visit the office when he was requested to visit and conduct inspection of the papers requested by the Complainant. The opponent denies the grounds set out in the complaint. The opponent also states that no First Appeal is preferred. According to the opponent complaint ought to be dismissed.

4. Heard the complainant and the learned Advocate Shri A. Talauliker argued on behalf of the opponent and perused the records.

It is seen that the complainant has sought certain information by his application dated 22/02/2011. It appears that the same was transferred to the opponent under section 6(3) of the Right to Information Act. By letter dated 11/03/2010 the complainant was called to inspect and collect the documents after paying the required fees. It appears that complainant did not take the inspection. This letter was sent in time.

This Commission directed the opponent to give inspection on 31/01/2011 at 10.30 am /11.00 am.

5. During the course of argument the Complainant states that he has taken the inspection and collected the necessary information. According to him he is satisfied and the matter can be disposed off.

6. In view of this position I need not address to the aspect of maintainability of the Complaint etc. However it is to be noted that as per the scheme of Right to Information Act. the remedy of First Appeal must be exhausted first before approaching the Commission. The complainant to take note of the same.

7. Since information is furnished no intervention of this Commission is required. 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 March 2011.

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

