

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Complaint No. 58/SCIC/2011

Mr. Christopher Alvares,
H. No. 302/3, Lima Vaddo,
Querem, Tivim,
Bardez - Goa

... Complainant.

V/s.

The Public Information Officer,
Village Panchayat of Marna,
Marna-Siolim,
Bardez - Goa

... Opponent No. 2

Complainant alongwith Adv. V. Braganza.
Opponent present.

ORDER
(21.07.2011)

1. The Complainant, Shri Christopher Alvares, has filed the present Complaint praying that Opponent be directed to furnish the information within a period of one week and that the Opponent be penalized as per law for the default, omission and/or neglect in performing his statutory duties.

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

That the Complainant, vide his application dated 29.01.2011 sought certain information under the Right to Information Act, 2005 ('R.T.I. Act' for short) from the Public Information Officer (PIO)/Opponent. That the said application was in-warded in the office of the Opponent on the same day. That the Opponent failed to furnish the information within the statutory period of 30 days. That the Opponent has till date failed and/or omitted to provide the information sought for by the Complainant. That the inaction or neglect of the Opponent amounts to refusal to furnish information. That the

act on the part of the Opponent is intentional and malafide solely aimed to harass the Complainant and putting the Complainant to unnecessary and unreasonable hardship, loss and damages. Hence, the present complaint.

3. In pursuance of the notice the Opponent appeared. The Opponent has filed the reply stating that information has already been furnished to the Complainant. Heard the learned Adv. Shri V. Braganza for the Complainant as well as the Opponent.

4. I have carefully gone through the records of the case and also considered the submissions of the parties. It is seen that the Complainant vide his application dated 29.01.2011 sought certain information from the Opponent. However, the same was not furnished within the statutory period and hence the Complainant preferred the present Complaint. It is seen from the record, that is the reply of the Opponent, that information is furnished by letter dated 24.03.2011.

During the course of his arguments Advocate for the Complainant states that information is furnished, the Complainant is satisfied with the same and that Complainant has no grievance of any sort.

Since information is furnished no intervention of this Commission is required.

4. Now it is to be seen whether there is any delay in furnishing the information. It is seen that application was filed on 29.01.2011. The then PIO did not furnish the information in time. It appears that in the meantime the said PIO was transferred and the present PIO has furnished the information. No doubt there is delay in furnishing the information.

However, the said PIO has been transferred. Since information has been furnished the Complainant has no grievance. On taking charge the present PIO has furnished the information and in view of this, delay is condoned as information is furnished. Besides, Complainant also does not press for the same.

5. In view of all the above, I pass the following Order:-

ORDER

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

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 21st day of July, 2011.

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