

GOA STATE INFORMATION COMMISSION

AT PANAJI

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

Complaint No. 88/SIC/2011

Mrs. Severina P. Fernandes,
alias Joanita Fernandes,
H. No. 1392/A (Bldg)., Mazilwado,
Nr. Benaulim Panchayat, Benaulim,
Salcete – Goa

...Complainant

V/s

Public Information Officer,
Shri Deepak Chari,
Secretary of Village Panchayat,
Cana-Benaulim,
Salcete – Goa

... Opponent

Adv. Shri A. Dessai for Complainant.
Opponent in person.

ORDER
(22/08/2011)

1. The Complainant, Smt. Severina Fernandes alias Joanita Fernandes has filed the present Complaint praying that the Opponent be directed to provide the information sought under the application dated 02.02.2011; that the Opponent be directed to compensate for the loss and other detriments suffered by the Complainant and that penalty be imposed on the Opponent.

2. It is the case of the Complainant that the Complainant vide application dated 02.02.2011 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 Opponent did not provide the information within the stipulated period of 30 days or till the date of filing the Complaint. That on 07.03.2011 at 11:30 a.m. the Complainant alongwith her daughter Mrs. Maria Fernandes visited the office of the said PIO but no information was provided to them. That again the Complainant alongwith her daughter visited the office of the PIO but no information was provided. That on earlier occasion also PIO refused and was denied information to her. Since information was not provided the Complainant filed the present Complaint. Notice was issued to the Opponent and in pursuance of the notice the Opponent appeared. He did not file any reply as such, however, he advanced submissions.

3. Heard both sides and perused the records. It is seen that by application dated 02.02.2011 the Complainant sought certain information from the Opponent. However, the same was not furnished. During the course of arguments Advocate Shri Ashok Dessai for the Complainant submitted that information is furnished. Opponent also submits that information is furnished and he has filed copy of the same on record. It appears that the information is furnished on 27.04.2011. The only grievance of the Complainant is that the information is furnished after much delay.

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

5. Now it is to be seen whether there is delay in furnishing the information. It is seen that application is dated 02.02.2011. The reply is dated 27.04.2011. Apparently there is some delay. However, PIO/Opponent is to be heard on the same. In view of all the above I pass the following Order:-

ORDER

The Complaint is partly allowed. No intervention of this Commission is required since information is already furnished.

Issue notice under section 20(1) of the RTI Act, 2005 to the Opponent/PIO to show cause why penal action should not be taken against him for causing delay in furnishing information. The explanation, if any, should reach the Commission on or before 12.10.2011. Public Information Officer/Opponent shall appear for hearing.

Further inquiry posted on 12.10.2011.

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 22nd day of August, 2011.

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

