

**GOA STATE INFORMATION COMMISSION**  
**AT PANAJI**

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

Complaint No. 25/SIC/2011

J.T.Shetye,  
C/o Mapusa Jana Jagruti Samiti,  
H.no 35, Ward no.11,  
Khorlim, Mapusa-Goa

...Complainant

**V/s**

The Public Information Officer,  
Chief Officer,  
Mapusa-Municipal Council,  
Mapusa-Goa

...Opponent

Complainant in person

Opponent present

**ORDER**  
**(09-09-2011)**

1. The Complainant, Shri J.T. Shetye, has filed the present complaint praying that P.I.O. be directed to furnish the information; that penalty as provided under section 20(1) of the R.T.I. Act be imposed on the P.I.O. and that disciplinary action be initiated against the P.I.O for persistently failing to provide information and persistently providing misleading information .

2. The gist of the complainants case is as under;-

That the complainant , vide his application dated 18/11/2010 sought certain information under Right to information Act(R.T.I.. Act for short) from the Public information Officer(P.I.O./Opponent. That the Appellant made several oral requests to the dealing hand and head clerk of Mapusa Council to provide the information and that on 31/1/2011 Shri Hussain Khan the dealing hand has given him oral reply that he should file a complaint before Commission. That the opponent has failed to provide the information within the statutory period of 30 days nor reject the request in terms of provision of R.T.I. Act. Hence the present complaint.

3. In pursuance of the notice issued Shri Vinay Agarwadekar representative of opponent remained present . The Opponent filed the reply which is on record. As per the same whatever information is available has been furnished . He also relied on information furnished.

4. Heard both sides and perused the records . It is seen that the Appellant sought certain information vide application dated 18/11/2010. It

appears that no information was furnished within the statutory period of 30 days . Hence he filed the present complaint.

It is seen from the records that information is furnished by letter dated 26/04/2011. As per the Opponent the information furnished is the only information that is available with them.

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

6. Now it is to be seen whether there is any delay in furnishing the information. Considering the date of application and the reply that is furnishing information there is some delay. However the Opponent should be given an opportunity to explain about the same.

7. Since information is furnished no intervention of this Commission is required. The Opponent is to be heard on the aspect of penalty. Hence I pass the following order:-

### **ORDER**

The Complaint is allowed. No intervention of this commission is required as information is furnished.

Issue notice under section 20 (1) of the Right to information Act 2005 to the Opponent to show cause why penalty action should not be taken against him for causing delay in furnishing the information. The explanation, if any should reach the Commission on or before 10/11/2011 the Public Information Officer/Opponent shall appear for hearing.

Further inquiry posted on 10-11-2011 at 10.30

The complaint is accordingly disposed off.

Pronounced in the Commission on this 9<sup>th</sup> day September, 2011.

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