

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Complaint No.160/SCIC/2011

Shri Rudresh S. Naik,
R/o.Radha Bldg., 2nd Floor,
Bernard Guedes Road,
Near Market, Panaji, Goa

... Complainant

V/s.

Public Information Officer,
Chief Town Planner,
Town and Country Planning Department,
Dempo Tower, Patto Plaza,
Panaji-Goa

... Opponent

Complainant absent.
Opponent/P.I.O. present.

ORDER
(28/02/2012)

1. The Complainant, Shri Rudresh S. Naik, has filed the present complaint praying that the records and proceeding be called for and the opponent be directed to furnish the information sought for by the complainant vide his application dated 29/9/2011; that the opponent be held under disciplinary action for deliberately not entertaining his application and obstructing the access to the information as sought by the complainant; that penalty be imposed on the opponent for malafidely denying the request as much as obstructing in accessing/furnishing the information to this complainant.

2. The gist of the complaint is as under.:-

That the complainant, vide his application dated 29/09/2011, sought certain information under Right to Information Act, 2005 ('R.T.I.' Act for short) from the Public Information Officer('P.I.O.)/ opponent. That the opponent has

failed to furnish the information to the complainant as the opponent has not given any response to the request of the complainant within specified period, thus obstructing the access of the information as sought by the complainant. Since the opponent has failed to furnish the information the complainant has filed the present complaint praying the above mentioned relief.

3. The opponent resists the complaint and the reply of the opponent is on record. It is the case of the opponent that the application dated 29/9/2011 was received and by letter dated 24/10/2011 the applicant was accordingly informed. That the information was dispatched to the appellant within 30 days from the date of receipt of application. As the appellant states that he has not received any response to his application, copy of reply dated 24/10/2011 was made available to him once again on 23/01/2012. In short, it is the case of the opponent that the information has been furnished and that the same has been furnished in time.

4, The complainant did not appear though notice was issued to him since complainant is absent, I am proceeding on the basis of records.

5. Heard the arguments of opponent/PIO. According to him, information is furnished.

6. I have carefully gone through the records of the case and also considered arguments advanced by PIO.

7. It is seen that by application dated 29/9/2011, the complainant sought certain information. The information sought was in the nature of query i.e. what is the time (in days) within which permission U/s.17(A) of the Town & Country Planning Act are granted? It is seen from the record that by letter dated 24/10/2011, the PIO/Opponent furnished the information. I have perused the copy of the said letter. I have also perused the

inward/outward register i.e. annexure B and C on record. It appears that the information was sent. The opponent also states that again on 23/01/2012, the information was sent. The complainant has not disputed nor challenged this fact. It therefore follows that information is furnished. Considering the reply is dated 24/10/2011, the same is in time.

4. Since information is furnished, no intervention of this Commission is required. Hence I pass the following order.

ORDER

No 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 28th day of February, 2012.

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