

GOA STATE INFORMATION COMMISSION

AT PANAJI

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

Appeal No. 161/SIC/2011

Shri Vincent Dias,
H. No. 503,
Murida, Fatorda,
Margao – Goa

.... Appellant

V/s.

Public Information Officer,
Margao Municipal Council,
Margao – Goa

.... Respondent.

Appellant in person.

Shri Ashank M. Naik Gaonkar, J.E., representative of Respondent.

Adv. Shri S. G. Naik for Respondent.

J U D G M E N T

(03.04.2012)

1. The Appellant, Shri Vincent Dias, has filed the present Appeal praying that adequate compensation for mental harassment for having to file the Appeal and the present one and the expenses involved therein and for costs.

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

That the Appellant had to approach the First Appellate Authority in case No. 47/DMA/2011/ITI/1034 which is clearly given his findings that the Respondent has failed to furnish information to the Appellant which was not furnished within the statutory period. That after the date of hearing by the First Appellate Authority and before passing the order the Respondent in the above matter hurriedly and without application of mind gave his reply dated 20.07.2011 to which the Appellant has separately preferred to file the Appeal before this authority also on other issues. In the present Appeal the Appellant having had to face mental harassment of filing the First Appeal and this authority being right one for claiming compensation the present Appeal is filed.

3. In pursuance of the notice issued Adv. Shri S. G. Naik appeared on behalf of Respondent. He did not file any reply as such. However, he advanced arguments.

4. Heard the Appellant as well as Adv. Shri Naik. Appellant has also filed written arguments which are on record. In short according to the Appellant there is delay in furnishing the information and that he has suffered mental harassment. The Appellant has filed the present Appeal for compensation. In Complaint No. 136/SCIC/2011 this Commission has already issued notice under Section 20(1) of the RTI Act to the Public Information Officer.

5. The Appellant prays that compensation be granted to him for mental harassment caused.

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

ORDER

The Appeal is partly allowed.

Issue notice to the Respondent/PIO to show cause why compensation should not be granted to the Appellant. The explanation, if any, should reach this Commission on or before 04.06.2012. Respondent/P.I.O. shall appear for the hearing.

Further inquiry is posted on 04.06.2012 at 10:30 a.m.

The Appeal is disposed off.

Pronounced in the Commission on this 03rd day of April, 2012.

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