

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Complaint No. 24/SIC/2012

Mr. Uday A. C. Priolkar,
R/o. H. No. CS/55,
Altinho,
Panaji – Goa Complainant

V/s.

Public Information Officer,
Office of The Commercial Taxes,
Old High Court Bldg.,
Panaji – Goa ... Opponent.

Complainant in person.
Shri Ulhas Naik, representative of Opponent.

ORDER
(05.07.2012)

1. The Complainant, Shri Uday A.C. Priolkar, has filed the present Complaint praying that the Opponent be directed to furnish information to the Complainant as sought by him. That the Respondent be directed to pay to the complainant cost of Rs.250/- for each day till information is furnished and that disciplinary action be initiated against the Opponent.

2. The brief facts leading to the present Complaint are as under:-
That the Complainant vide letter dated 30.12.2011, 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 P.I.O. failed to pass the order within statutory period hence the Complainant filed the present Complaint on various grounds as set out in the Complaint.

3. The case of the Opponent/P.I.O. is set out in the reply which is on record. In short it is the case of the Opponent that the applicant has filed application dated 30.12.2011 under RTI Act. However, the information was not readily available but required to be compiled. That the same is now made available to the applicant. It is further the case of Opponent that the PIO and APIO both are holding double charge. That most of the Staff dealing with subject matter were appointed for election work with Collectors/Mamlatdar. That the information sought was voluminous which

was to be compiled after scrutiny of 1710 applications and as such could not be compiled in time and, therefore, this Department could not make full information available within prescribed time of 30 days. That the delay is not intentional but on account of circumstances beyond the control of PIO. According to the Opponent the Complaint is liable to be dismissed.

4. Heard the Complainant and Shri Ulhas Naik, representative of the Opponent. During the course of arguments the Complainant as well as Shri Naik submitted that full information is furnished. It is also seen from record that full information is furnished. The only grievance of the Complainant is that there is gross delay in furnishing the information.

5. It is seen that the application is dated 30.12.2011 and information is furnished by letter dated 02.02.2012. In the reply the Opponent/P.I.O has explained the circumstances. Shri Naik also submits that no First Appeal is preferred. In any case to my mind the PIO should be given an opportunity to explain about the same in the factual backdrop of this case.

6. Since information is furnished no intervention of this Commission is required. The Opponent is to be heard on the aspect of delay. 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/P.I.O. to show cause why penal 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 21.08.2012. P.I.O./Opponent shall appear for hearing.

Further inquiry posted on 21.08.2012 at 10:30a.m.

Pronounced in the Commission on this 05th day of July, 2012.

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

