

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Appeal No. 109/SCIC/2012

Shri I. S. Raju,
H. No. 706-A, Benaulim,
Salcete - Goa

.... Appellant

V/s.

1) Mamlatdar & Executive Magistrate,
Public Information Officer,
Salcete,
Margao - Goa

... Respondent No.1.

2) Dy. Collector & SDO,
First Appellate Authority,
Salcete,
Margao - Goa

... Respondent No. 2.

Appellant in person.

Respondent No.1 in person.

J U D G M E N T
(23.07.2012)

1. The Appellant, Shri I. S. Raju, has filed the present Appeal praying that Respondent be penalized for giving incorrect, incomplete and misleading information and that the Appellant be compensated.

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

That the Appellant, vide application dated 17.02.2012, sought certain information under right to Information Act, 2005 ('R.T.I. Act' for short) from the Public Information Officer ('P.I.O.)/Respondent No. 1. That the P.I.O. gave the reply by letter dated 13.03.2012. That as the information provided by the P.I.O. was incomplete, misleading and not to the point and as such he filed an appeal before the First Appellate Authority, however, the same was not decided within the stipulated period. Being aggrieved the Appellant has preferred the present appeal.

3. The Respondent No.1 resists the Appeal and the reply of the Respondent No.1 is on record. That upon receipt of the report from the

Police Station Colva, the conditional order under Section 133 of Cr. P.C. was issued directing Shri Menino Salvador Varela to tie the cattle or to appear and show cause why the conditional order should not be made absolute. That since the report of the Police is taken into consideration a case is registered under Section 133 of Cr. P.C. against Shri Menino Salvador Varela, the said case has to be decided after hearing the Complainant, their witnesses if any, the respondents and their witnesses. That since the case is sub-judice there is no scope to change the conditional order. That reply was sent. That information as it is, is furnished.

4. Heard the Appellant as well as Respondent No. 1.

5. I have carefully gone through the records of the case. It is seen that by application dated 17.02.2012 the Appellant sought certain information. Thinking that the same is incomplete and misleading the Appellant filed the First Appeal before First Appellate Authority (F.A.A.). However the Appeal was not decided. It is to be noted here that R.T.I. is a time bound programme and First Appeal is to be decided within 30 days or by extended period of 15 days but with reasons.

During the course of arguments it transpired that information is furnished. The Appellant states that the same is furnished.

6. 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 Appeal is disposed off.

The Appeal is, accordingly, disposed off.

Pronounced in the Commission on this 23rd day of July, 2012.

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

