

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Complaint No.179/SCIC/2011

Shri Prashant Mahadev Vast,
R/o.H.No.187, B.P. Corporation Bank,
Vasco Da Gama,
Mormugao - Goa

... Complainant

V/s.

1. The Deputy Collector,
Shri Levison Martins,
Mormugao Taluka,
Vasco-da-Gama, Goa
2. The First Appellate Authority,
Additional Collector – I(South),
Collectorate Bldg.,
Margao – Goa

... Opponents

Complainant present.

Opponent No.1 and 2 absent.

ORDER
(25/06/2012)

1. The Complainant, Shri Prashant Mahadev Vast has filed the present complaint praying that this Commission punish the said opponent No.1 for U/s.R.T.I. Act for not supplying the information at the rate of Rs.250/- per day till the date when the actual information would be provided and that the P.I.O. be directed to give the required information.

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

That the Complainant had delivered a written complaint to the Dy. Collector dated 14/12/2007 for the strong objection for conducting Beat Show on the F.L. Gomes Road, Vasco by blocking

the N.H. Road. That the Complainant's objection was overruled and the permission was issued by the Dy. Collector for conducting Beat Show. That the Complainant, vide application dated 14/9/2009, sought certain information under Right to Information Act, 2005 ('R.T.I.' Act for short) from the Public Information Officer(P.I.O.)/Opponent No.1. That the Complainant received a letter bearing reference No.312/R.T.I./AK/2009/1414 dated 6/10/2009 from the Office of Dy. Collector to collect the reply on the application made by the complainant. That no any letter neither reply on the said letter was given/issued to the complainant. That later he filed letter to the First Appellate Authority/opponent No.2 dated 16/2/2010 seeking the reply on the same. That the Complainant was issued the order copy from the Addl. Collector-I South. That the said order copy was delayed correspondence by 4 months and that till date he has not received any reply. Being aggrieved the complainant preferred the present complaint.

3. In pursuance of the notice the opponent remained absent. Various opportunities were given to the opponent but the opponent did not remain present nor submitted any reply. In any case I am proceeding on the basis of records.

4. Heard the Complainant. The version of the opponent is not on record.

5. I have carefully gone through the records of the case and also considered the arguments of the Complainant. It is to be seen whether the relief prayed is to be granted or not?

It is seen that the complainant vide application dated 14/9/2008 sought certain information. By reply dated 6/10/2009 the P.I.O. requested the Complainant to remain present in order to issue the same. However what was issued is not on record. However on 16/2/2010 the complainant filed an appeal before First

Appellate Authority on the ground that information given was not upto mark. By order dated 13/4/2010 the First Appellate Authority ordered as under :-

“ It is seen that appellant asked outward number of his letter forwarded to police, permission for road blockage and P.I. Report on his application in 2007, with regard outward number and police report..... is furnished to appellant as regards permission for blockade, P.I.O. District Collector to give information within 14 days free of cost as such matter closed.”

According to the complainant certified copy of the outward register copy of the letter and Police information Report of this letter is not furnished. Order of F.A.A. states that these thing are furnished but according to complainant this is not furnished. P.I.O. is not before the Commission to state about the same. In any case if this information is available the same can be furnished.

6. It is to be noted here that the information as available or held by Public Authority is to be furnished.

Another aspect is that R.T.I. is a time bound programme between the administration and information seeker. The request is to be disposed within 30 days. First Appeal is to be filed within 30 days and disposed within 30 days or 45 days. So also second Appeal/complaint is to be filed within prescribed time.

In the present case the same has not been observed . However, in future these things are to be strictly followed and observed.

7. Since complainant contends that the said information is not furnished, I feel that the same can be furnished.

8. In view of the above, I pass the following order :-

ORDER

The complaint is allowed. The opponent/P.I.O. is directed to provide to the complainant the information sought by him vide his application dated 14/9/2009 i.e.(1)Certified Copy of the Outward register, copy of the letter and (ii) Police Information of this letter, within 30 days from the date of receipt of this order.

Needless to add that the same be issued without charging fees.

The complaint is accordingly disposed off.

Pronounced in the Commission on this 25th day of June, 2012.

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