

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 217/SCIC/2008

Shri. Kashinath Shetye,
Bambino Building, Alto Fondvem,
Ribandar, Tiswadi – Goa.

..... Appellant.

V/s.

1. Public Information Officer,
The Chief Officer,
Mapusa Municipal Council,
Mapusa – Goa.
2. First Appellate Authority,
The Director,
Directorate of Municipal Administration,
Panaji - Goa.

..... Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 30/12/2008.

Appellant in person.

Both the Respondents absent.

ORDER

The grievances of this Appellant in this second appeal is that the Public Information Officer did not inform him within the statutory time limit to his request for information under the Right to Information Act, 2005 (for short the RTI Act) filed by him on 22/09/2008. He has thereafter filed a first appeal for a deemed refusal before the Respondent No. 2 on 21/10/2008. Only thereafter, the Respondent No. 1 has asked the Appellant to appear in his office during office hours "to discuss the matter and scrutinize required documents" because the information requested is voluminous. As the Appellant did not approach the Municipal Council, the First Appellate Authority passed an order directing the information to be given within 10 days and also allowed inspection of records to the Appellant. A detailed reply was thereafter sent by the Respondent No. 1 to the Appellant on 6/11/2008 pointwise giving the replies where necessary and also asking him to pay an amount of Rs.56/- and Rs.900/- for the copies of the documents requested. The Appellant

...2/-

has contended that he did not receive this letter and also stated that the Respondent No. 1 could have sent the same letter even before First Appellate Authority decided the first appeal.

2. The Appellant represented in person at the time of hearing before me. The Public Information Officer is represented by Asst. Public Information Officer and filed his reply stating that the appeal is premature and that the Appellant has not approached the office with additional fees. He has also alleged that the Appellant is "harassing all the Municipals and Corporations in Goa and hence, the request for information is made with malafide intention". The intention of the citizen for asking the information need not be gone into as per the provisions of the RTI Act. Now that the letter dated 6/11/2008 has been given to the Appellant before this Commission. The Appellant is directed to approach the Chief Officer to get the information requested by him on payment of additional fees informed by the Respondent No. 1. The Chief Officer on his part, should give the Appellant an opportunity to inspect all the documents and a letter to be sent fixing the date of inspection within the next 10 days. There is sufficient force in the argument of the Appellant that the letter dated 6/11/2008 sent by the Chief Officer could have been sent within 30 days from the date of the request, namely, on or before 21/10/2008. The Chief Officer should take note of this and deal with the request for information under the RTI Act immediately and in any case within the time limit allowed under the RTI Act.

Pronounced in the open court on this 30th day of December, 2008.

Sd/-
(A. Venkataranam)
State Chief Information Commissioner

