

# GOA STATE INFORMATION COMMISSION AT PANAJI

**CORAM:** Shri Afonso Araujo, State Information Commissioner

Complaint No. 53/SIC/2008

Helena D. Lourenco,  
H. No. 610, Cujira, Orlem Bhatt,  
Santa Cruz, Ilhas – Goa.

..... Complainant.

V/s.

Public Information Officer,  
The Secretary,  
Village Panchayat of Santa Cruz,  
Santa Cruz – Goa

..... Opponent.

Dated: 12/05/2009.

## **ORDER**

The Complainant in her letter dated 10/10/2008 addressed to the Secretary, Village Panchayat St. Cruz sought information in respect of projects

- 1) Shanta Durga Sadan at Alto St. cruz survey No. 80/1 of St. Cruz.
- 2) Smt. Surfara Dias & Lawrence House No. 807 at St. Augustine.
- 3) U. B. Kenkre at Bambolim, St. Cruz Village Café Coffee Day, Reebok & Sita Travels.
- 4) Smt. Vilasini Pereira H. No. 160 Caca in CRZ Zone in St. Cruz Village.

2. Since the Opponent failed to provide information sought by the Complainant within specified period, the Complainant considered it deemed refusal and approached this Commission with this present Complaint on 4/12/2008. In the hearing of 8/5/2009, the Complainant appeared so also the Opponent who is the Secretary of the Village Panchayat. Since the Complainant stated that she has received the information, direction was given to the Opponent to produce the information supplied to the Complainant. Accordingly, the Opponent through an employee of the Village Panchayat and without any letter of authority produced the reply dated 9/01/2009 which is the information required by the Complainant in her letter dated 10/10/2008. It appears that the Complainant is satisfied with the information received otherwise she would have submitted her objections. However, this Commission has to consider the conduct of the Opponent while dealing with the

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information under the Right to Information Act, 2005 (for short the Act).

3. The information was sought on 10/10/2008 and the Opponent provided the same only on 9/01/2009. The Opponent did not comply with the mandatory provision of section 7(1) of the Act where any information under the Act has to be dealt as expeditiously as possible and in any case within 30 days from the receipt of the request. More than 30 days has passed and the Opponent did not provide information to the Complainant. This failure on the part of the Opponent to provide the information within 30 days amounts to refusal for which the Public Information Officer is liable for penalties provided in section 20(1) of the Act. Besides, the Public Information Officer whom the notice has been issued by this Commission has to appear in person and in case there is any inability to various reasons not to appear, he has to depute any responsible person with a proper letter of authority. The Opponent who is the Public Information Officer to be more responsible and careful in future in dealing with the matters under the Act. With these observations, the Complaint is disposed off.

Pronounced in the open court on this 12<sup>th</sup> day of May, 2009.

Sd/-  
(Afonso Araujo)  
State Information Commissioner



