

**GOA STATE INFORMATION COMMISSION AT
PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 63/SCIC/2008/

Shri S. N. Marathe
Village Abmbede
Nagargaon Panchayat
Sattari, Goa – 403 506

...Complainant

V/s.

Shri M. M. Dessai
Executive Engineer
Public Information Officer
Electricity Department, Division V
Bicholim - Goa

...Opponent.

Dated: 06.04.2009

(Per Afonso Araujo)

ORDER

On a complaint stating that for the payment of a fee of Rs. 10/- the Complainant not only has to incur expenditure of Rs. 30/- for the Demand Draft but also incur traveling expenditure to travel from Bicholim to Valpoi and back to pay the fees through Demand Draft, the Commission by order dated 12.02.2009 issued show cause notice to the Opponent for misleading the Complainant.

2. In pursuance of this show cause notice the Opponent appeared on 16.03.2009 and filed a reply stating that the Division of the Electricity Department of Bicholim usually is not collecting cash due to one or other reasons and that the Complainant should have sent the Demand Draft through post instead of giving the Demand Draft personally and collecting the documents.

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3. The Complainant did not appear on the day fixed for hearing and sent a letter stating his inability to appear personally. Shri Dessai in answering the question to the fact that usually cash is not accepted, he replied stating that due to misappropriation the cash is not accepted.

4. Perused the records and considered the submissions. The objective of the Act is not only to provide the information sought but at the same time the information should be made easily available and one of the modes to make it so is by way of easy mode of payment. For the payment of an amount of Rs. 10/-, acceptance of cash could have been the easiest way rather than calling the Complainant to make payment by Demand Draft. No doubt that the apprehension of the Opponent regarding the misappropriation when mode of payment is by cash cannot be taken lightly, but a proper and reliable receipt, fixing the responsibility and periodical checking of the accounts, such misappropriation can be averted. It was not proper on the part of the Opponent to call for payment of Rs. 10/- by Demand Draft and as such the Complainant is entitled for a refund of Rs. 30/- which he has incurred to obtain the Demand Draft.

5. The Complainant also stated that he had to incur expenditure on traveling from Bicholim to Valpoi to get the Demand Draft. If the Complainant had to travel a long distance from Bicholim to Valpoi and back to get the Demand Draft, the proper course would have been to send the Demand Draft by post rather than travel all over again from Valpoi to Bicholim and back to his village. Moreover, the Complainant has stated in the application seeking the information that the information furnished could be sent to him through post. Since the Complainant was aware that the payment

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of fees through post was permissible there was no need for the Complainant to travel back to Bicholim in order to pay the fees through Demand Draft. In such circumstances, the Complainant is not entitled for his expenditure incurred in traveling.

6. The Opponent through the Department to reimburse the Complainant the amount of Rs. 30/- incurred by him for obtaining the Demand Draft. This amount to be sent to the Complainant through post at his residential address.

7. The Opponent to instruct and to ensure that in future in his Division, the mode of payment of the fees under the Right to Information Act be more practical and accept the cash whenever any citizen requires the information. A proper and prompt receipt to be issued on payment of the fees and a separate register to be maintained dealing with such transactions of the fees collected under the Right to Information Act.

Sd/-
(Afonso Araujo)
State Information Commissioner