

GOA STATE INFORMATION COMMISSION

AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 76/SIC/2009

Shri John Philip Pereira,
H. No. 520, Mazilvaddo,
Nagoa, Salcete – Goa.

...Complainant.

V/s.

The Public Information Officer,
Village Panchayat Nagoa,
Nagoa, Salcete – Goa.

...Opponent.

Dated: 11.11.2009

ORDER

(Per Afonso Araujo)

The Complainant on 12.08.2009 moved two applications seeking information under the Right to Information Act, 2005 (for short the RTI Act); one which consist in giving date for inspection of tender awarded by the Village Panchayat, Nagoa from April 1, 2007 to date, to various contractors and receipts of payments disbursed and the other also to give date for inspection of the Register of House numbers issued by the Village Panchayat.

2. On 18.09.2009 the Opponent replied also separately both the requests. In respect to the inspection of tenders awarded, the reply states that the Complainant is required to deposit the amount of Rs. 1,000/- to inspect the records of work and to the request for inspection of Register of House numbers, the Opponent permitted the Complainant to inspect the House Tax Register during office hours from 2:30 p.m. to 5:00 p.m. on payment of inspection fees.

3. The grievance of the Complainant is only on the question of depositing the amount of Rs.1,000/- for inspection of files. The contention of the Opponent is that the Complainant is in the habit of applying for copies as well as for inspection and thereafter does not collect the copies at all.

4. The request for information sought was specific and the Complaint required that the Opponent give him a date for inspection of tender awarded by Village Panchayat. Since it is only inspection which was required, there was no need to direct the Complainant to deposit the amount of Rs.1000/- for inspection. Any amount of fees to be paid is at the time of providing information without which the information cannot be provided. The Opponent has to provide the information by way of inspection of records in question and then the Complainant to apply for copies of whichever documents he needs. It is at this point of time that the Opponent will assess the amount of fees required to be paid and intimate the Complainant accordingly in order to collect the information. If the apprehension of the Opponent is that the Complainant will not collect the copies, it can be taken care of and the interest of the public authority be safeguarded. The Opponent has to calculate the amount required for the copies, inform the Complainant of the amount to be paid for the copies, direct the Complainant to deposit this amount and upon depositing the amount, make the copies ready and provide the information to the Complainant.

5. With these observations, the Complaint is disposed off with the direction to the Opponent to give effect to the request of the Complainant dated 12.08.2009 and permit the Complainant to inspect the records regarding tender awarded by the Village Panchayat from April 1, 2007 to the date the request was made, to various contractors and receipts of payments disbursed. The date of inspection is fixed on 19.11.2009 anytime between 10:00am to 05:00pm. Needless to say, the inspection to be done on payment of fees prescribed under the rule 3(2) (d) of Goa Right to Information (Regulation of Fee and Cost) Rules, 2006.

Sd/-
(Afonso Araujo)
State Information Commissioner

