

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 42/SIC/2009

Mr. Francisco A. Soares,
House No. 1015, 1st Bairo,
Santa Cruz, Tiswadi,
Bardez – Goa

... Appellant.

V/s.

1) The Block Development Officer-Tiswadi,
& Public Information Officer,
Government of Goa,
Junta House, 6th Floor, 4th Lift,
Panaji – Goa

... Respondent No. 1.

2) The Deputy Director of Panchayats (North) &
First Appellate Authority,
Government of Goa,
Junta House, 3rd Floor, 4th Lift,
Panaji – Goa

... Respondent No. 2.

Appellant alongwith his authorized representative Shri C. S. Baretto.
Respondent No. 1 Shri V.S. Naik in person.

J U D G M E N T

(Per Afonso Araujo)

The Appellant by request dated 12.05.2009 sought information under the Right to Information Act, (for short ‘The RTI Act’) and required copy of the report which the Respondent No. 1 has to prepare in pursuance to memorandum dated 27.04.2009 issued by the Deputy Director of Panchayats (North), Panaji. The Respondent No. 1 by communication dated 14.05.2009 rejected the application of the Appellant on the ground that Court Fee of Rs. 10/- has not been affixed to the application.

2. As per prevailing Rules under the RTI Act, any application seeking information has to be submitted with fee of Rs. 10/- which can be paid by way of cash against proper receipt by affixing a Court fee stamp of Rs. 10/- or by demand draft or by banker’s cheque

...2/-

payable to the concerned Public Information Officer. No doubt that the Appellant did not make the payment of required fees but this fact of non-payment of fees at the initial stage the application for information is submitted, should not be a ground to reject the application for information under the RTI Act. The Respondent No. 1 should have directed the Appellant to make the payment of the initial fee of Rs. 10/- in the application and remedy the situation rather than reject the application for information under the RTI Act.

3. In such circumstances, the Appellant is directed to pay the fee of Rs. 10/- to the application for information sought under the RTI Act dated 12.05.2009 and the Respondent No. 1 to accept the initial fees and decide the request of the Appellant dated 12.05.2009 in accordance with the provisions of the RTI Act.

With these observations the Appeal is disposed off.

Pronounced on this 22nd day of February, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner

