

GOA STATE INFORMATION COMMISSION AT PANAJI

CORAM: Shri M. S. Keny, State Chief Information Commissioner

Appeal No. 144/SCIC/2009

Mr. Uday Mandrekar,
H. No. 224/2, Bela Vista Wada,
Sangolda, Bardez – Goa.

..... Appellant.

V/s.

Public Information Officer,
The Executive Engineer,
Division VI, Electricity Department,
Mapusa – Goa.

..... Respondent.

Adv. Ms. R. Kudnekar for Appellant.

Shri Kashinath Shetye, representative for Respondent.

J U D G E M E N T **(18-03-2010)**

1. The Appellant has preferred the present Appeal praying that information as requested by the Appellant be furnished to him correctly and fully; that necessary action be taken on Public Information Officer for not providing information and inspection of records within 30 days and heavy penalty be imposed.

2. The brief facts leading to the present Appeal are as under: -

That the Appellant moved an application dated 4/8/2009 under Right to Information Act ('RTI' Act for short) seeking certain information. That the document was not furnished and reply was sent stating that the file is not traceable. That being not satisfied the Appellant preferred the First Appeal and that order was passed directing to furnish correct and proper information. It is the case of the Appellant that no information was furnished. Hence, the present Appeal.

...2/-

3. The Respondent resist the Appeal and their say is on record. It is the case of the Respondent that the information could not be furnished as the same was not traceable in the office. After the First Appeal, the Appellant herein was informed that the requisite information was not available. In short according to the Respondent information is not available.

4. Heard Adv. Ms. R. Kudnekar for Appellant and Shri K. Shetye representative of Respondent and also perused the records. It is seen that Application is dated 4/8/2009 seeking information i.e. copy of Application by Ashok Mandrekar to change the name and copy of No objection letter issued by him (Appellant) or any other person which is produced in their office. By reply dated 7/9/2009 it is informed that the same is not traceable in the office. Appeal was filed and First Appellate Authority directed to furnish information on 17/9/2009. The reply is dated 01/10/2009 whereby it is mentioned that information is not available.

It is also informed that office has instructed to the Asst. Engineer, Sub-Division II, Porvorim to initiate action and resolve the matter.

5. During the course of arguments, it transpired that no such application was filed but somebody played some mischief. The Department has initiated action and has also lodged F.I.R. Copy of the F.I.R. shown. Faced with this the Appellant states that he is satisfied with the same and that action is being initiated.

6. Regarding delay. Initially there is delay of 2/3 days only in furnishing the reply. After appeal, reply is given in time. Delay as such is not much. The Appellant too has no grievance. The Appellant is satisfied and has no grievance regarding information.

7. In view of the above, I pass the following Order: -

ORDER

Information existing has been given. Action is also initiated. Hence, no further intervention of this Commission is required. The Appeal is accordingly disposed off.

Pronounced in the Commission on this 18th day of March, 2010.

Sd/-
(M. S. Keny)
State Chief Information Commissioner

