

GOA STATE INFORMATION COMMISSION AT PANAJI

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

Appeal No. 35/SCIC/2010

Shri Kashinath Shetye,
R/o. Bambino Building,
Alto Fondvem, Ribandar,
Tiswadi – Goa.

..... Appellant.

V/s.

1. Public Information Officer,
Controller, Legal Metrology,
Panaji - Goa.
2. First Appellate Authority,
Controller, Legal Metrology,
Panaji - Goa.

..... Respondents.

Appellant in person.

Respondent No. 1 and 2 in person.

J U D G E M E N T **(04-05-2010)**

1. The Appellant, Shri Kashinath Shetye, has preferred this Second Appeal praying that the information as requested by the Appellant be furnished to him free of cost as per section 7(6); that penalty be imposed on Public Information Officer/First Appellate Authority as per law for delay of 20 days and that compensation may be given for harassment and detriment caused to the Appellant.

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

That the Appellant filed an application dated 04/01/2010 under the Right to Information Act, 2005 ('RTI' Act for short), thereby requesting Public Information Officer (PIO) to issue information specified therein. That the Appellant considering the said refusal of information on behalf of the Respondent No. 1 preferred a First Appeal before the Respondent No.2. That the Public Information Officer/Respondent No. 1 failed to

...2/-

furnish the required information as per the application of the Appellant. That the Respondent No. 2 till date did not send a notice for hearing and instead went to pass an Order ex-parte. Being aggrieved, the Appellant has preferred this Appeal on the grounds as set out in the Memo of Appeal.

3. The Respondents resist the Appeal and their replies are on record. In short, it is the case of the Respondent No. 1 that the application was received by him on 05/01/2010 and since the application was found not to be clear, the PIO made a letter dated 05/01/2010 to the applicant. It is also the case of the Respondent No. 1 that in order to avoid delay in providing the information to the applicant, the PIO circulated the copy of the said Complaint/application for information to the concerned Area Inspector. In short, it is the case of the Respondents that the information was kept ready and the Appellant was told to collect the same by paying the required fees. However, the Appellant did not collect the same. The Respondent No. 1 also refers to the Appeal filed etc.

The detailed reply of Respondent No. 2 is also on record.

4. Heard both the sides and perused the records. It is seen that the application is dated 4/1/2010 titled as Complaint/information under Right to Information Act, 2005. By letter dated 05/01/2010, the Asst. Controller, Legal Metrology, Packaged Commodities sought certain clarification as request for information and also complaint mixed up. The Appellant was requested to give a separate application. By letter dated 18/01/2010 sent by the Registered A/D information was furnished and Appellant was told to deposit fees and collect copies of the records. It was stated that the inspection charges will be charged on the date of inspection i.e.

20/01/2010. In between appeal was preferred etc. Looking at the sequence, entire process appears to be within time schedule fixed by the RTI Act.

5. During the course of the arguments, the Appellant submits that he has already received the information and that he is satisfied with the information and he has no grievance of whatsoever nature.

6. Since the information is given, no further intervention of this Commission is required. Hence, the Order: -

ORDER

No intervention of this Commission is required and the Appeal is disposed off.

The Appeal is disposed off accordingly.

Pronounced in the Commission on this 4th day of May, 2010.

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

