

GOA STATE INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 27/2006/POLICE/P

Joao C. Pereira
H. No. 40, Acsona, Utorda,
Salcete - Goa.

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Appellant.

V/s.

1. Public Information Officer
Superintendent of Police (South),
Margao, Salcete - Goa.
2. First Appellate Authority
Deputy Inspector General of Police,
HQ, Panaji.

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Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner
&
Shri G. G. Kambli
State Information Commissioner

(Per G. G. Kambli)

Under Section 19 of the RTI Act, 2005 (Central Act 22 of 2005)

Dated: 05/12/2006.

ORDER

This Commission vide its order dated 15/11/2006 directed the Respondent No. 1 i.e. Public Information Officer to show cause as to why the penalty of Rs.250/- per day delay should not be imposed under Section 20 of the Right to Information Act for not providing the information to the Appellant within the statutory period of 30 days.

2. The Respondent No. 1 filed the detailed reply the narrating steps taken by him from the receipt of the application till the issue of the information. It is seen from the reply filed by the Respondent No. 1, that the Respondent No. 1 had to collect the some of the information from the then S.D.P.O. Vasco-da-Gama S. R. Goltekar who is transferred to Panaji and Shri D. P. Verma, the them Superintendent of Police (South), Margao presently posted in Delhi. The Respondent No. 1 submitted that he

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did not get the information from the concerned officers inspite of the reminders. He has submitted that as soon as he received the information from the concerned officers, the information sought by the Appellant was provided.

3. The Respondent No. 1 has submitted that there was no deliberate or malafide intention to delay the information but the circumstances were beyond the control of the Respondent No. 1. The Respondent No. 1 also submitted that the delay caused in furnishing the information was not willful and that the Respondent No. 1 was not negligent as he acted immediately to gather the some of the information from the concerned officers.

4. The Respondent No. 1 submitted that he was under the bonafide belief that the information requested has to be furnished in toto. We are not inclined to agree with this submission of the Respondent No. 1. Whatever information is readily available should be provided to the applicant and the remaining information, which needs to be collected or obtained from the other officers, or subordinate offices could be provided later on but within the statutory period of 30 days.

5. We are satisfied with the explanation given by the Respondent No. 1 as the Respondent No. 1 has taken various steps in order to obtain the information so that the same could be provided to the Appellant. Hence, we drop the proceedings.

(G. G. Kambli)
State Information Commissioner, GOA.

(A. Venkataratnam)
State Chief Information Commissioner, GOA.