

GOA STATE INFORMATION COMMISSION

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

Appeal No. 43/2006/TCP/P

Shri Sushant S. Naik
H. No. 103, Costi-Kalay,
Sanguem - Goa.

..... Appellant.

V/s.

1. Public Information Officer
Town and Country Planning Department,
Quepem - Goa.
2. First Appellate Authority
The Chief Town Planner,
Town & Country Planning Department,
2nd floor, Dempo Towers,
Patto Plaza, Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 08/03/2007.

ORDER

This disposes off the show cause notice issued to the Public Information Officer by our order dated 3/1/2007 in the second appeal filed before us on 3/11/2006 by the Appellant. The facts are already mentioned in the original order dated 3/1/2007. The brief question to be answered is whether there is any intentional delay by the Public Information Officer while giving the information. The contention of the Public Information Officer is that the original application dated 27/6/2006 was filed before Asst. Public Information Officer, Quepem and was duly received in his office at Margao within 5 days of the filing of the application as required under the Act. Indeed, the information was sent by the Public Information Officer on 5/9/2006. The contention of the Public Information Officer is that the information was ready on 12/7/2006 within 30 days of the filing of the application and that he informed the Appellant to come and collect the information on payment of the fees. However, as the Appellant did not turn up, he has sent the information himself by post. The Appellant says that the information is not complete in addition there is a delay in respect of even

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this incomplete information. On directions by this Commission by its order dated 3/1/2007, the Public Information Officer has kept the complete information ready and sent a letter to the Appellant on 6/2/2007. The Public Information Officer submitted evidence by way of copy of the letters sent to the Appellant attested by him and the postal acknowledgement of certificate of posting. During the hearing, the Public Information Officer submitted before us that the information is ready and it would be given to him on payment of Rs.120/- (Rupees one hundred and twenty only). The Appellant, evidently, expected a free supply of information as the information was delayed he should be given the information free under Section 7(6) of the Right to Information Act.

2. We already examined the scope of the provision of the law and held that what is to be given free under Section 7(6) of the RTI Act is only that information asked for either in the printed or electronic format under Section 7 thereof. We, therefore, hold that the Appellant is not entitled for the free supply of information even if it is delayed beyond the 30 days. The Public Information Officer is willing to give whenever the amount is paid by the Appellant. We accept the contention of the Public Information Officer and are satisfied with steps taken by him, for the compliance of the order of this Commission issued on 3/1/2007. We, therefore, drop the further proceedings in this case. Order to be communicated to the Public Information Officer by post.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner