

**GOA INFORMATION COMMISSION**  
Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Complaint No. 09/2007-08/SW

Shri Orlando Sales  
33, Dr. Dada Vaidya Road,  
Panaji - Goa.

..... Complainant.

V/s.

The Public Information Officer,  
Asstt. Director (Welfare of Disabled),  
Directorate of Social Welfare,  
Panaji - Goa.

..... Opponent.

**CORAM:**

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

(Per A. Venkataratnam)

Dated: 28/06/2007.

Complainant in person.

Opponent also in person.

**ORDER**

A request for information was filed by the Complainant on 26/02/2007 alongwith application fee of Rs.10/- in cash on 13/3/2007. However, the Public Information Officer requested the Complainant to pay Rs.10/- as processing fee. The Complainant, thereafter, approached the Public Information Officer showing the receipt already paid for and stating that no further processing fee is payable. The Public Information Officer realized his mistake, and supplied the information requested after receiving the fees for the information of Rs.48/-. In this process, the Public Information Officer "exceeded" 30 days time limit for providing the information. The Complainant now wants the refund of his amount of Rs.48/- as the information was supplied to him after 30 days. It is the contention of the Complainant that he is entitled for supply of information free of charge under Section 7(6) if it is not so supplied within statutory time period of 30 days. We have already held in a number of cases that the information can be given free of charge under Section 7(6) only if the delay is caused is for the documents mentioned in Section 7(5) of the Right to Information Act, 2005 (for short the "Act"). In the present case, the documents

...2/-

are not as mentioned in section 7(5) of the Act. The Complainant is, therefore, not entitled for free of supply of the documents. Accordingly, his request for refund of Rs.48/- is rejected. The Complainant has also submitted before us through a written rejoinder of his grievances regarding the roster system in the promotion/appointments by the department. We do not have any jurisdiction to go into such issues. In the circumstances of case, we are also not inclined to proceed further with penalty proceedings against the Public Information Officer as request by the Complainant. The complaint is dismissed. Inform the parties.

(A. Venkataratnam)  
State Chief Information Commissioner

(G. G. Kamblī)  
State Information Commissioner