

GOA INFORMATION COMMISSION

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

Complaint No. 10/2008

Shri. Joao C. Pereira,
H. No. 40, Acsona, Utorda,
Majorda, Salcete – Goa.

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Complainant.

V/s.

The Public Information Officer,
Superintendent of Police (South),
Town Police Station,
Margao – Goa

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Opponent.

CORAM:

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

(Per A. Venkataratnam)

Dated: 16/07/2008.

Complainant in person.

Shri. N. Raposo, P. I. Verna Police Station represented the Opponent.

ORDER

An order was passed by this Commission on 30/01/2008 in second Appeal No. 93/2007 directing the Opponent to give the information namely, the copies of the station diary of Verna Police Station for certain dates to the Complainant as requested earlier by the Complainant under the Right to Information Act, 2005 (RTI Act for short). No date however, was fixed by us for the compliance of the order. However, neither the Opponent has given the information to the Complainant nor did he approach this Commission, with a reason for not complying with our order in a reasonable time. After waiting for over 3 months, the Complainant has filed this present complaint for execution of our order alongwith the prayer for disciplinary proceedings and imposing penalty on the Opponent.

2. A show cause notice was given to the Opponent asking him to show cause why the prayers of the Complainant should not be granted. The Public Information Officer has neither appeared before this Commission nor showed any cause why penalty should not be imposed on him. He merely stated that no case could be filed in the Hon'ble High Court against our order and that he has

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already given the information to the Complainant. The Complainant admitted having received the information, but pressed for taking penal action against the Opponent in view of inordinate delay in giving the information.

3. The reply of the Opponent to the show cause notice is not a satisfactory explanation and in any case, no reason was cited why he could not find time to approach this Commission suo moto expressing his difficulty in executing our order. We, therefore, award a compensation of Rs.2000/- to the Complainant for the inconvenience and detriment caused to him by the Public Information Officer. The amount should be paid by the Police Department within the next 15 days. The Department is however free to recover the same from the Public Information Officer.

4. We are, however, not inclined to start proceedings of penalty as prayed for by the Complainant.

Announced in the open court, on this 16th day of July, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner

Sd/-
(G. G. Kambli)
State Information Commissioner