

GOA INFORMATION COMMISSION

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

Complaint No. 71/2007/VP.

Shri. Prasad Parulekar,
Ambhekhand, Reis Magos,
Verem, Bardez - Goa.

..... Complainant.

V/s.

Public Information Officer.
Shri. Clifton Azavedo,
The Secretary,
Village Panchayat Reis Magos,
Bardez - Goa.

..... Opponent.

CORAM:

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

(Per G. G. Kambli)

Dated: 04/06/2008.

Complainant absent. Opponent also absent.

ORDER

This is a complaint filed under section 18 of the Right to Information Act, 2005 (for short the Act). The grievances of the Complainant are that the Complainant by his application dated 4/12/2007 requested the Opponent to provide the certified copy of the Resolution passed by the Village Panchayat of Reis Magos for allotting house numbers and no objection certificates for releasing electricity and water supply from March, 2004 till the date of the application. The Opponent did not respond to the said application within the time limit specified in the Act. The Opponent handed over the letter dated 4/12/2007 to the office boy of the Opponent on 14/01/2008 much after the expiry of 30 days seeking certain clarification. The Complainant replied the said letter dated 14/12/2007 vide letter dated 18/01/2008 stating that the information sought by the Complainant was specific and no further clarification is required. Hence, the present complaint. The Complainant has prayed for imposing a penalty of Rs.250/- per day delay and also for recommending disciplinary proceedings against the Opponent. The complaint was filed before us on 12/02/2008.

...2/-

2. Upon issuing the notices, the Opponent filed reply stating that the information sought by the Complainant was already provided before the first Appellate Authority on 25/2/2008. Alongwith the reply, the Opponent has enclosed the copy of the proceedings sheet of the first Appellate Authority. It is seen from the said proceedings sheet that the Complainant had also filed an appeal before the first Appellate Authority on 14/02/2008. A copy of the reply filed by the Opponent was also forwarded to the Complainant vide Commission's letter dated 27/03/2008 as the Complainant remained absent on the date of the hearing. The Complainant was also informed that the matter was fixed for hearing on 14/4/2008 at 11.00 a.m. for arguments.

3. As 14/04/2008 was declared as Public Holiday, the matter was taken up for arguments on next working day i.e. on 15/04/2008. On 15/04/2008, neither the Complainant nor the Opponent remained present. The Opponent has already provided the information to the Complainant, which has not been disputed by the Complainant. Since the information has already been provided, one of the prayers of the Complainant stands already granted. As regards other prayers of the Complainant for imposition of penalty and recommending disciplinary proceedings against the Opponent, we are not inclined to proceed further. However, we would like to warn the Opponent to be careful in future and to ensure that the information sought by the citizens are provided within the time specified in the Act.

Pronounced in the open court on this 4th day of June, 2008.

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

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