

# **GOA STATE INFORMATION COMMISSION**

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

Appeal No. 48/2006/Goa-IDC/P

Shri Uday M. Rege  
Regional Manager,  
Honda Industrial Estate,  
Honda, Sattari - Goa.

..... Appellant.

V/s.

1. Public Information Officer  
Chief General Manager,  
Goa Industrial Development Corporation,  
Panaji - Goa.
2. First Appellate Authority  
Managing Director,  
Goa Industrial Development Corporation,  
Panaji - Goa.

..... Respondents.

## **CORAM:**

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

(Per G. G. Kambli)

Dated: 15/01/2007.

## **ORDER**

The Commission in its order dated 8/12/2006 had directed the Respondent No. 1 to show cause as to why the penalty of Rs.250/- per day delay beyond the period of 30 days should not be imposed in terms of the provision of Section 20 of the Right to Information Act, 2005 (for short the Act). In the said order, the Commission had observed that the information was not provided to the Appellant within the statutory period of 30 days.

2. The Respondent No. 1 filed the reply. In his reply, the Respondent No. 1 submitted that the Appellant had sought the following information under the Act: -

- (a) The exact period within which the A.C.P. shall be released (in days).
- (b) The exact time frame within which posting will be done and pay fixation shall be effected in the new scale after grant of A.C.P.

...2/-

- (c) The Powers, duties and facilities available to the post of Regional Manager as per the policy of Goa Industrial Development Corporation and such facilities provided to other Regional Managers.

So far as the information pertaining to point (a), the Respondent No. 1 submitted that the order dated 3/7/2006 granting A.C.P. to the Appellant was issued and the Appellant had also received the same. The said order was issued before the expiry of 30 days and therefore, the Appellant has got the information regarding the point (a) before the expiry of 30 days period. As regards the information to the other points, the Respondent No. 1 submitted that the Act is newly enacted legislation and the corporation had received 51 applications which were attended to by the Respondent No. 1 and replies were given within the time limit. The Respondent No. 1 has also submitted that the Corporation is fully endeavour for proper implementation of the Act and the Respondent No. 1 with the help of the Asst. Public Information Officer is trying his level best to provide the requisite information. He submitted that the delay in providing the information on other two points was not intentional and that no information was suppressed from its disclosure at any point of time. Hence, Respondent No. 1 had prayed that the proceedings may be dropped.

3. We have gone through the detailed reply filed by the Respondent No. 1. The Respondent No. 1 stated that he has received 51 applications under the Act and is trying his level best to provide the information sought by the applicants. It is true that the Act is a new legislation and it may take some time for the officers to gain experience in implementing the provisions of the Act. In view of the large number of the applications received by the Respondent No. 1, there is possibility of some delay. However, the said delay should not be intentional and malafide. In view of the justification given by the Respondent No. 1, we do not find any malafides.

4. Therefore, we drop the proceedings against the Respondent No. 1. However, the Respondent No. 1 should be diligent and careful in future to see that the information sought by the persons are provided within the statutory period as laid down in the Act. Inform the Respondent No. 1.

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

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

