

GOA STATE INFORMATION COMMISSION
GROUND FLOOR, 'SHRAM SHAKTI BHAVAN',
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The functioning of the Goa State Information Commission has been commented upon in a section of the press recently. To remove any misunderstanding, the following clarifications are issued:

1. The commission is constituted by the Government in the Information % Publicity Dept, on 02-03-2006.
2. The state chief information commissioner(SCIC) and the state information commissioner(SIC) are appointed on 27-02-2006 and took oath of office on 21-03-2006.
3. Pending the establishment of its office, which always takes some time, the commission started functioning from the residence of the SCIC hearing appeals and even passed an order dt 29th May 06.
4. With effect from 08-06-06, the commission started functioning from its office at Shram Shakti Bhavan. There are some constraints in its functioning , but the commission does not allow them to come in its way of functioning. Some of these are:
 - (i) Non allotment of funds resulting in non drawal of the salary of its employees;
 - (ii) Inadequate staff like the secretary, registrar, accountant etc;
 - (iii) Non availability of computer/typewriter and telephone.
5. In spite of the above constraints, the commission has taken some important decisions like the following:
 - (i) The under-trial prisoners, like all other citizens, enjoy their right to information under the Right to Information Act (RTI). They cannot be denied information taking shelter under the exemption clauses as long as the information requested does not impede the investigation or prosecution in which they are accused;
 - (ii) All Non Govt organizations(NGOs) receiving substantial financial aid from the appropriate Govt are Public Authorities(PAs). No separate notification is required to be issued by the Govt saying so;
 - (iii) All Public Authorities (PAs) have to issue orders designating the Asst Public Information Officer(APIO) Public Information Officer(PIO) First Appellate Authority suo-moto without waiting for any such orders to be issued by the Govt;
 - (iv) The Govt as the implementing authority of the RTI has to monitor and coordinate the above work which is the subject matter of a complaint before the commission in which case, the Ex-Officio Jt Secretary of the Information Dept was summoned and directed to file an affidavit;
 - (v) Not giving the information or delaying the information or destruction of records to avoid giving the information by the PIOs, without sufficient reason, will attract penalty of Rs 250 per day payable by the

PIO subject to a maximum of Rs 25000 and the burden of proof lies on him. One such case is already before the commission wherein a show cause notice is issued.

- (vi) The State Chief Information Commissioner has inaugurated a web page <http://egov.goa.nic.in/rtipublic> where information regarding information on RTI can be accessed.

Citizens intending to contact the commission can do so at the address mentioned above or contacting by E-Mail. They can also access the web page <http://egov.goa.nic.in/rtipublic>.

(V.V. Sawant)

Under Secretary to the Commission
Panaji, Dt 22-06-2006

To
The Editors of All News Papers.