

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

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**Appeal No.138 /SIC/2014**

Shri Ravindra A. Velip,  
H.No. 39/04, Velipwada,  
Caurim, Quepem Goa.

..... Appellant

**V/s.**

1. The First Appellate Authority,  
Director of Mines & Geology,  
Ground Floor, Menezes Braganza, Bldg.,  
Panaji Goa.

2. The Public Information Officer, (PIO),  
Asst. Director of Mines & Geology,  
Ground Floor, Menezes Braganza Bldg.,  
Panaji Goa.

..... Respondents

**CORAM:**

**Smt. Pratima K. Vernekar**, State Information Commissioner

**Filed on: 31/10/2014**

**Decided: 22/12/2016**

**ORDER**

1. The appellant Shri Ravindra Velip has filed present appeal praying that the Respondent No. 2 PIO, of the office of Mines and Geology, Panaji directed to pay fine for failure to dispose off the appeal within a period of limitation as provided u/s 20 of the RTI act and that the Respondent be directed to furnish the detail information sought by the appellant by the application dated 27/8/2014 ,

The brief facts during the present appeal are as under:

That the appellant by his application dated 27/08/2014 sought certain information from the Respondent No. 2 PIO to his queries at C in respect of inspection of TC 59 /51 conducted on 19/5/2014.

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2. Since the appellant did not receive any reply from the Respondent No. 2 PIO, within stipulated time therefore preferred an appeal before the Directorate of Mines and Geology on 31/10/2014 against the deemed refusal .
3. It is the case of the appellant that during the hearing before the first appellate authority, the reply was filed on 9/12/2014 submitted by the Respondent PIO that the information sought for pertains to commercial interest of the state and hence exempted u/s 8 (1) of the RTI Act. It is further the case of the appellant that the first appeal was not properly heard by the Respondent No. 1 FAA and failed to dispose the first appeal within the period of limitation as specified under Right to Information Act.
4. Being aggrieved by the action of both the respondent herein the present second appeal came to be filed before this commission 16/1/2016.
5. The matter was taken up for hearing and listed on the board. During the hearing the appellant was present on person . Respondent No. 1 PIO Mrs Neha Panvelkar was present and Respondent No. 1 First appellate authority was represented by Shri Baban Gaonkar. Reply was filed by Respondent No. 1 on 30/8/2016 informing the required documents have been given to the appellant after the inspection of the record carried out by him . A additional reply also came to be filed on behalf on Respondent No. 1 PIO on 6/10/16.
6. In addition to the above given reply compliance report also came to be filed by respondent No. 2 PIO on 22/12/2016 enclosing the note sheet bearing the signature of the appellant .

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7. Since the RTI application was not responded by Respondent no. 1 then PIO and as also the first appeal was not disposed by the First appellate authority within specific time, this commission felt it necessary to seek the say of then PIO and of the say of Respondent No. 1 FAA .
8. Affidavit in reply was filed by then PIO Shri Parag M. Nagarsekar and reply is also filed behalf of Respondents No. 1 FAA. Both the Respondent have tried to explained the delay cause of disposal RTI Application and first appeal, they have contended the delay caused due to non processing of papers/communication by the dealing hand at the relevant point of time. and further submitted that there was no any malafied behinds it and it was not intentional and deliberate . Both the Respondents also tender their unconditional apology to this commission and the appellant for the inconvenience cause to him and assured to disposed off such applications in future with due diligences and in time being manner. Both t he Respondent further prayed for leniency .
9. Since the appellant have not appeared before this commission with any grievances with regards to information furnished to him, it shall be presumed the said information is as per his requirement an as per his satisfaction.
10. Since information is furnished to him during the hearing as such no intervention is required and hence prayer "a" become infructious. However the liberty is given to the appellant to seek additional information on the said subject matter if he so desire.
11. However considering the fact this is 1<sup>st</sup> of such lapse on the part of Both the Respondents they are here by admonished and hence forth directed to be vigilant pertaining with such cases.

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The appeal is disposed accordingly proceedings stands closed.

Notify the parties

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Pronounced in the open court.

Sd/-  
**(Ms.Pratima K. Vernekar)**  
State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa