

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

Appeal No.135 /SIC/2014

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

..... Appellant

V/s.

1. The First Appellate Authority,
Directorate of Mines & Geology,
Ground floor of Institute Menezes Branganza,
Panaji Goa.

2. The Public Information Officer,(PIO)
Directorate of Mines & Geology,
Ground floor of Institute Menezes Branganza,
Panaji Goa.

..... Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 07/10/2014

Decided:22/12/2016

O R D E R

1. The appellant Shri Ravindra A. Velip by the application , dated 13/8/2014, filed under section 6(1) of the Right to information Act 2005 sought information from the PIO i.e the Respondent No. 2 herein. The Respondent No. 2 failed to reply the same or furnish the information within the stipulated period of 30 days.
2. The appellant preferred first appeal on 7/10/2014 before the Respondent No. 1 but he failed to pass any order within a period of 45 days as prescribed under the Act. and as such the appellant has approached this commission by way of second appeal u/s 19(3) of the Act.

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3. Present appeal praying that the respondent No. 2 PIO may be directed to provide him information and for invoking penal provisions.
4. of the Notice of the appeal was served on the parties . In pursuant to the notice appellant appeared in person and Respondent No. 1 FAA was represented by Baban Gaonkar and on behalf of Respondent No. 2 PIO Mrs Neha Panvelkar appeared, and filed their respective replies on 6/10/2016 and on 22/12/2016.
5. A compliance report is also filed by PIO on 22/11/2016 annexing thereto notesheet bearing the acknowledgment of the appellant of having received the information to his satisfaction in appeal no. 135/SCI/2014. As per the said compliance report the PIO has submitted that beside the said information there is no information available in the said office.
6. The Respondent PIO has also vide his application dated 22/11/2016 have informed this commission that inspection of the filed have been carried out by appellant and the required document have been provided to the appellant.
7. Affidavit in reply was filed by then PIO Shri Parag M. Nagarsekar and also by Respondents No. 1 FAA. Both the Respondents have tried to explain the delay of disposal RTI Application and first appeal. They have contended that the delay caused is 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 there 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 the Respondent further prayed for leniency .

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8. 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 and as per his satisfaction.
9. Since information is furnished to him during the hearing, 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.
10. However considering the fact this is 1st 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.

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