

**GOA STATE INFORMATION  
COMMISSION**

‘Kamat Towers’, Seventh Floor, Patto,  
Panaji – Goa

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**CORAM: Shri Prashant S. P. Tendolkar,**  
**State Chief Information Commissioners.**  
**Smt. Pratima K. Vernekar,**  
**State Information Commissioner**

**Appeal No.08/SCIC/2016**

Shri Rabindra A. L. Dias,  
Dr. Pires Colony, Block “B”,  
Cujira St-Cruz Tiswadi –Goa. .... Appellant

V/s

- 1) The Public Information Officer,  
O/o The Mamlatdar of Tiswadi,  
Panaji –Goa.
- 2) The First Appellate Authority,  
The Dy. Collector & S.D.O.,  
Panaji –Goa. .... Respondents

**Filed on:06/01/2016**  
**Decided on: 21/06/2016.**

**O R D E R**

- 1) This order shall dispose the issue of limitation that arises in the present appeal.
- 2) The appellant has filed this second appeal against the order of the First Appellate Authority (FAA) dated 27/10/2014.
- 3) As per the appeal memo, according to the appellant on 24/07/2014 he sought certain information under section 6 of the Right to Information Act 2005 (Act). As no information was furnished within the stipulated time he filed first appeal under section 19 (1) of the Act on 10/10/2014 alongwith an application of condonation of delay. Said appeal was finalized on 27/10/2014, against which the present appeal is filed.
- 4) The appellant has filed the present appeal before this Commission on 06/01/2016. As this appeal is barred by

limitation as provided under section 19(3) of the Act, the appellant has filed application of condonation of delay supported by medical certificate.

- 5) Notice of the appeal were given to the parties. The appellant never appeared before this Commission though on 13/05/2016 he sought an adjournment. Opportunity was given to the parties.
- 6) To day when again the matter was called, none appeared. On going through the file it is found that as the present appeal is filed beyond the period of limitation, the question of its admission as required under proviso to section 19 (3) has to be decided.
- 7) We have perused the file and on going through the same the relevant data for the purpose of considering appeal is that order of the FAA is passed on 27/10/2014. The said order, being within the knowledge of the appellant on said date, in ordinary course the last date for filing 2<sup>nd</sup> appeal would be 27<sup>th</sup> January 2015. Appeal actually filed on 06/01/2016. Thus, there is a delay of nearly 335 days.
- 8) An appellant has to be diligent to save the time of limitation in filing the appeal. In this case the appellant ought to have been diligent at least up to 25/01/2015. Though appellant relates the delay in filing appeal to his medical problems, according to the certificate attached to the application for condonation, he was under treatment for hip joint problem from November 2015 till 09/12/2015. No where the said certificate suggest that he was at all having any problem during the period from 27/10/2014 till 25/01/2015.
- 9) The appellant has not thus explained the delay in filing the appeal and the grounds given being not pertaining to the period of filing appeal, is not relevant for the purpose of present appeal to get the benefit of condonation.

In the circumstances no case is made out by the appellant to seek condonation of delay and hence the application of condonation of delay cannot be granted. The same is therefore dismissed. The proceeding stands closed.

Parties to be intimated. Pronounced in the open Court on this 21<sup>st</sup> day of June 2016.

**Sd/-**  
**(Prashant S. P. Tendolkar)**  
State Chief Information Commissioner  
Goa State Information Commission  
Panaji -Goa

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