

**GOA STATE INFORMATION COMMISSION**

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

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**Appeal No. 93/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: 27/08/2014**

**Decided on: 22/12/2016**

**ORDER**

- 1 Shri Ravindra Velip herein after referred to as information seeker/appellant by his application dated 13/05/2014 filed u/s 6(1) of the Right to Information Act 2005 sought inspection of files and certified copy of document from the Respondent No. 2 PIO office of Assistant Director of Mines Panaji Goa.
- 2 The same application was replied by the PIO on 11/6/2014.
- 3 Being not satisfied to the reply of the Respondent No. 2 PIO the appellant preferred first appeal before the Director of Mines Panaji being first appellate authority who is the Respondent No. 1 herein on 01/07/2014 .
- 4 Since the Respondent No.1 FAA failed to hear and dispose the appeal within a period of limitation as specified in the Right to

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information Act,2005, being aggrieved by the conduct of both the Respondents, the appellant have landed before this commission on 27/8/2014 with a prayer for direction to respondents to provide him inspection of files and the documents and for invoking penal provision .

- 5 In pursuant to the notice the appellant appeared in person and on behalf of Respondent PIO Neha panvelkar and on behalf of FAA Shri Baban Gaonkar present. During the hearing the appellant submitted that he is not satisfied with the query 5 that is the inspection of files related to the inventory of ore TC 59/51 and TC 12/53 and subsequent clarification. The Respondent PIO volunteered to give him fresh inspection of the said files as mentioned as serial No. 5 and accordingly they filed their reply on 30/8/16 intimating this commission that inspection of the said filed as per information sought as serial No. 5 by the appellants by the RTI application have been carried out by the appellant and required documents have been given to the appellant . The appellant also filed his reply on 6/10/2016 interalia informing that the inspection was allowed by the Respondent PIO and the document have been already furnished by a him and that he is satisfied with the same. However in the said application he sought for the references of all filed given for inspection to the appellant . The Respondent PIO also replied to his query by reply dated 6/10/16.
- 6 Say is also filed by Respondent first appellate authority on 22/12/16. In addition to above reply compliance report alongwith all the documents also came to be field by Respondent PIO on 22/12/2016.
7. Affidavit reply was also filed by then PIO Shri Parag M. Nagarsekar on 22/12/16. the Respondent First Appellate Authority and then PIO have tried to explained the delay of disposal of first appeal .

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8. They has contended the delay caused as 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. The Respondent FAA also tender his 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. The Respondent further prayed for leniency .
9. Since information is furnished to the appellant to his satisfaction 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.

However considering the fact this is 1<sup>st</sup> of such lapse on the part of the Respondent First Appellate Authority, 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

