

GOA STATE INFORMATION COMMISSION

Kamat Towers, seventh Floor, Patto, Panaji, Goa

Shri Prashant S. P. Tendolkar,
State Chief Information Commissioner

Appeal No.191/2018/CIC

Shri Tukaram A. Patil,
r/o. Solacia Society,
F4-102, Behind Moze College of Engineering,
Baif Road, Wagholi,
Pune -412207.

....Appellant

V/s

- 1) The Public Information Officer,
O/o Directorate of Education,
Porvorim, Bardez Goa.
- 2) The Director,
Directorate of Education,
Porvorim,
Bardez-Goa.

....Respondents

Dated 18/01/2019

O R D E R

- 1) This Commission while disposing the present appeal by order dated 30/01/2018 has directed to issue notice to First Appellate Authority to show cause as to why disciplinary proceedings should not be recommended against him for dereliction of duties by not disposing the appeal within time stipulated under the act.
- 2) Pursuant to said notice the Shri Santosh K. Amonkar, Principal DEIT/FAA filed his reply. vide said reply he has submitted that the FAA has issued notice to the parties to appear on 29/06/2018 at 4.00pm at Directorate of Education, Porvorim. On said date both parties remained absent and thus appeal could not be heard. It is further according to him that subsequently said file remained with the head clerk and due to oversight it was not possible to dispose the appeal. He has also expressed his remorse over the lapse.

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Shri Amonkar has filed on record copy of the notice issued in the first Appeal. The Submission of Shri Amonkar were heard.

- 3) On perusal of the records it is seen that the FAA has infact issued the notice of hearing. However the same was not disposed within the period stipulated. I therefore find that though there is lapse resulting in delay it cannot be held as intentional. Besides the officer has expressed remorse
- 4) It is to be stressed that interms of section 19(6) of the RTI Act the First Appeals are required to be disposed within 30 days or within extended period of forty five days. Hence, such appeals should attract priority form the officer concerned, being time bound.
- 5) Considering the fact that infact the first appeal was taken up for hearing and the remorse expressed by the officer, I adopt a lenient approach and withdraw the notice. However I expect that the concerned officer shall adhere to the time schedule while deciding the first appeals hereforth.

With above observations, the notice issued to the FAA vide said order dated 30/11/2018 stands withdrawn. Proceedings closed.

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