

# GOA STATE INFORMATION COMMISSION

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

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**Shri Prashant S.P. Tendolkar**

**Chief Information Commissioners.**

**Appeal No.14/SCIC/2016**

Shri Venkapati S. Desai,  
R/o Murdiwada,  
Narve, Bicholim –Goa.

..... Complainant

**V/s**

- 1) The Public Information Officer,  
Shri K. Gopalan, Ex. Engineer,  
W.D XXIV, PWD,  
Bicholim-Goa.
- 2) Shri Prakash Surlikar, Asst. Eng.  
Sub Div II, W.D. XXXIV, PWD,  
Bicholim-Goa.
- 3) Shri M. P. Velayudhan, Ex. Eng.  
Legal Cell, PWD, Altinho,  
Panaji-Goa.
- 4) Shri R. K. Shrivastav,  
Secretary (PWD)  
Secretariat, Porvorim-Goa.

..... Opponents

**Filed on: 05/02/2016**

**Decided on 27/06/2016**

## **O R D E R**

When the matter was called today, it was noticed that the Complainant has approached this Commission by Complaint u/s 18 without availing the remedy of first appeal to FAA u/s 19(1) of the RTI Act. In the light of the judgment of the Hon’ble Apex Court in the case of CIC V/s State of Manipur (Nos.10787-10788 of 2011) such complaints are not maintainable before this commission.

The Complainant was apprised of this status and asked in case he still wants to proceed with the complaint. The complainant submitted that he would file first appeal and if aggrieved by its order would approach this Commission. He submitted that leave be granted to him to withdraw this complaint without prejudice to his rights to file first appeal without insisting for period of limitation.

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In the aforesaid circumstances, in the interest of justice, the request is granted. This complaint is therefore disposed as withdrawn. The complainant is granted opportunity to file first appeal before the first appellate authority u/s 19(1) of the Right to Information Act 2005 within thirty (30) days from the date of this order. The First appellate Authority shall not insist on limitation in case such appeal is filed. The FAA shall dispose the appeal, if so filed, within thirty (30) days from the date of its filing.

Complaint accordingly disposed.

Parties to be communicated.

Pronounced in open proceeding.

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

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Complainant

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Secretariat, Porvorim-Goa.

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Opponents

## **C O R R I G E N D U M**

By order dated 27/06/2016, this Commission has disposed the above matter. However in the order passed on 27/06/2016 the matter was wrongly mentioned as "Appeal No.14/SCIC/2016," instead of "Complaint No.14/SCIC/2016"

The said clerical mistake is hereby corrected accordingly and the case numbered as mentioned in the title of the said order dated 27/06/2016, be read as "**Complaint No.14/SCIC/2016**" in place of Appeal No.14/SCIC/2016.

This corrigendum shall be read alongwith order dated 27/06/2017.

**Sd/-**

(Prashant S. Prabhu Tendolkar)  
State Chief Information Commissioner  
Goa State Information Commission  
Panaji-Goa