

GOA STATE INFORMATION COMMISSION
Seventh Floor, Kamat Towers, Patto, Panaji, Goa.

 Appeal No. 101/2017

Mr. Siddesh S. Simepurushkar,
 R/o Flat No. F2,
 Ananta Apartment, Angod Waddo,
 Mapusa Bardez Goa.

.... Appellant

V/s.

1. Public Information Officer
 Administrator of Comunidade (North Zone)
 Mapusa Bardez Goa.

..... Respondent

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 12/07/2017

Decided on: 03/10/2017

ORDER

1. The Appellant , Shri Siddesh Simepureshkar has filed the present appeal on 12/7/2017 praying the information as requested by the appellant in his application dated 21/3/2017 be furnished to him correctly and for invoking penal provisions.
2. The brief facts leading to the present appeal are as under :-That the appellant, vide his application, dated 21/03/2017 addressed to the Public Information Officer (PIO), Administrator of Comunidade, North Goa at Mapusa Bardez Goa requested to furnish certain information at point No. 1 to 6 as stated by him in the said application with respect to plots in the property at the Assagao bearing survey No. 145/1-E. of Assgao Village Bardez Goa. The same was sought u/s 6(1) of right to information Act, 2005.

3. According to the appellant the Respondent no. 1 PIO did not furnish him the information which was sought for and not responded his application as such he filed appeal before the First Appellate Authority on 23/05/2017.
4. The First Appellate Authority (FAA), by an order, dated 27/6/17 allowed the appeal of the Appellant and the Respondent PIO was directed to furnish the information sought by the appellant free of cost within a period of 1 week from the date of the receipt of the order.
5. It is the case of the appellant the despite of the order of First Appellate Authority, PIO failed to provide him information as such Being aggrieved by the action of the Respondent, the appellant approached this commission on 12/7/2017 by way of second appeal filed u/s 19(3) of the Right To Information Act on the grounds as raised in the memo of appeal.
6. In pursuant to the notice of this Commission Appellant appeared in person. Respondent PIO Shri Rohan Kaskar appeared alongwith Secretary Shri Ramesh Tulskar appeared .
7. In the course of the present proceedings the information was furnished to the appellant on 22/9/2017.
8. The appellant then verified the information and submitted that with the said information his requirement are fully satisfied and as such has got no grievance against PIO and not pressing for penal provisions. Accordingly appellant endorsed his say on the memo of appeal.

9. On perusal of the records, it is seen that the PIO has not responded the application of the appellant as required in terms of section 7 and also not complied with the order passed by the first appellate authority dated 27/6/2017. The conduct on the part of the PIO is against the mandate and spirit of the RTI Act.

10. If the correct and timely information was provided to the Appellant, it would have saved valuable time and the hardship caused to him in pursuing the said Appeal before the different Authorities. It is quite obvious that the Appellant has suffered lot of harassment and mental torture and agony in seeking information under the RTI Act which is denied to him till this date. If the PIO had given prompt and correct information such harassment and detriment could have been avoided. However as there is nothing brought on record by the appellant that the lapses on the part of the PIO is persistence, a lenient view is taken in the present matter.

11. In view of the submissions and endorsement made by the appellant, nothing survives to be decided in the present matter. However the PIO is hereby directed to be vigilant henceforth while dealing with the RTI Matters and future lapse if any will be viewed strictly

Appeal 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 under the Right to Information Act 2005.

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