

# GOA STATE INFORMATION COMMISSION

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

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## Appeal No. 104/2017

**Nitin Y. Patekar,**  
Oshalbag Dhargal,  
P. O. Colvale, Via Dhargal,  
Pernem-Goa

.....**Appellant**

**V/s.**

1. Public Information Officer,  
O/o. Goa State Pollution Control Board,  
Patto, Panaji-Goa
2. The First Appellate Authority,  
O/o. Goa State Pollution Control Board,  
Panaji-Goa

..... Respondents

### **CORAM:**

**Smt. Pratima K. Vernekar,** State Information Commissioner

**Filed on: 17/07/2017**

**Decided on: 14/09/2017**

### **ORDER**

1. Brief facts leading to present appeal are that the appellant Shri Nitin Patekar by his application, dated 21/2/2017 filed u/s 6(1) of Right to Information Act, 2005 sought certain information on four points as stated therein in the said application pertaining to illegal tyre repairing work in Village Panchayat Dhargal , Pernem–Goa from the Respondent No.1 Public Information Officer (PIO) of the Goa State Pollution Control Board , Panaji-Goa .
2. The said application of the appellant was responded by the Respondent no.1 PIO on 21/03/2017 wherein appellant was informed that the information sought by him is not available in their office.

3. Being not satisfied with the reply of Respondent no.1 PIO and as no information was furnished to him he filed appeal before the Chairman of Goa State Pollution Control Board being the First Appellate Authority (FAA) on 31/03/2017 who is the Respondent No.2 herein.
4. The Respondent No.2 First Appellate Authority (FAA), by an order, dated 26/04/2017 disposed the said appeal by upholding the say of the PIO that the information have been already provided to the appellant in pursuant to his subsequent RTI applications dated 3/03/2017 and 10/03/2017 .
5. Being aggrieved by the action of both the respondents, the appellant approached this commission on 17/7/2017 by way of second appeal filed u/s 19(3) of the RTI Act on the grounds as raised in the memo of appeal.
6. In the present appeal he has sought for the direction of setting aside the order passed by the Respondent No.2 FAA and for furnishing him information correctly and fully as sought by him vide his application dated 21/02/2017 and also for invoking penal provision.
7. In pursuant to the notice of this commission Appellant appeared in person . Respondent No. 1 PIO Smt Natalia Dias was present along with APIO Shri C. Fernandes. Respondent No. 2 FAA was represented by Advocate S. B. Faria .
8. Reply filed by the Respondent No.1 PIO on 14/09/2017 thereby specifically providing information on all the points. All the queries of the appellant have been duly replied by the Respondent PIO. A compliance report bearing the signature of the appellant of he having carried out the due inspections of related files available on the FLM system was also enclosed to the said reply.

9. Respondent No. 2 FAA filed his reply on 14/9/2017.
10. The information which is provided to him on 14/09/2017 was verified by the appellant. The appellant then submitted that with the said information his requirements are fully satisfied and as such has got no grievance against PIO and is not pressing for penal provisions. Accordingly appellant endorsed his say on the memo of appeal.
11. In view of the submissions and endorsement made by the appellant I find no reasons to proceed with the matter.

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

