

# **GOA STATE INFORMATION COMMISSION**

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

Appeal No.105/2017

**NitinY. Patekar,**  
Oshalbag Dharagal.  
P.O. Colvale, Via Dhargal,  
Pernem- Goa.

**....Appellant**

**V/s**

**1)The 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. The appellant , Shri Nitin Patekar has filed the present appeal praying the information as requested by the appellant in his application dated10/3/17 be furnished to him correctly and attested ;that disciplinary under service rules may be recommended and cost may be awarded to him .
2. The brief facts leading to the present appeal are as under :-  
That the appellant , vide his application , dated 10/3/17 addressed to the public information officer (PIO) of the office of the chief secretary ,Goa requested to furnish the status/action report taken on his complaint dated 3/3/17 filed before pollution control board pertaining to sealing of tyre repair works unit in V.P. Dhargal .The same was sought u/s 6(1) of right to information Act ,2005.
3. The application of the appellant was transferred by the PIO of chief secretary to the PIO of Goa State pollution control Board on 16/3/17 u/s 6(3) of the RTI Act, 2005 .

4. According to the appellant the respondent no.1 PIO did not furnish him the information which was sought for but provided him wrong information as such he filed appeal before the first appellate authority on 25/4/2017 who is the Respondent No.2 herein .
5. The Respondent No.2 FAA, by an order ,dated 10/5/17 dismissed the said appeal by upholding the say of the PIO that information have been already provided to the appellant in pursuant to his other RTI application filed on 3/3/17.
6. 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.
7. In pursuant to the notice of this commission Appellant appeared. Respondent No. 1 PIO Mrs Natalia Dias was present along with APIO Shri c. Fernandes . Respondent No. 2 FAA was represented by Advocate S.B. Faria.
8. In the course of the present proceedings since it was contention of appellant that he has been furnished with the wrong information, which was disputed catogarily denied by the respondent, the commission in the interest of justice directed the respondent no.1 PIO to give the inspections of relevant files which was agreed by the appellant to do so.
9. Reply/cum compliance report filed by the Respondent No.1 PIO on 14/9/17 thereby clearly informing appellant that the action in respect of his complaint dated 3/3/17 is still under process. A minutes of inspection 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 .
10. Respondent No.2 FAA filed his reply on 14/9/17.

11. The copies of the replies of both the respondents were furnished to the appellant on verification of the same ,the appellant then 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.
12. In view of the submissions and endorsement made by the appellant , nothing survives to be decided in the present 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