

GOA STATE INFORMATION COMMISSION

Kamat Towers, Seventh Floor, Patto, Panaji, Goa

CORAM : Smt. Pratima K. Vernekar, State Information Commissioner

Appeal No.128/2016

**Antonio Alvares,
303/3 Sinquetim,
Navelim Salcete Goa.**

....Appellant

V/s.

- 1. The Public Information Officer(PIg) (PIO),
Directorate of Education,
Porvorim Goa.**
- 2. Mr. R.S. Samant,
First Appellate Authority (FAA),
Directorate of Education, Porvorim-Goa.**

....Respondent

**Appeal filed on: 8/07/2016
Decided on: 24/04/2017**

ORDER

1. The Appellant Shri Antonia Alvares submitted two applications one on 17/02/2016 seeking information at queries from Number 1 to 6 and also submitted another application on 22/02/2016 seeking certain information at queries from point no. 1 to 3 under Right To Information Act, 2005 from Public Information Officer (PIO), Director of Education, Govt. of Goa, Porvorim-Goa.
2. Respondent No. 1 PIO vide letter dated 4/03/2016 transferred the said application to PIO, Vocational section, Director of Education, Alto Porvorim with regards to point No. 1 and with regards to point No. 2, 3,4 and 6 the Respondent No. 1 PIO vide their letter dated 22/03/2016 informed Appellant that the said information is not available in their Office.
3. The PIO of Vocational section Director of Education vide his letter dated 18/03/2016 furnished the information to the appellant at point No. 1.
4. Since Appellant was not satisfied with the reply given by Respondent No. 1 PIO to his application dated 17/02/2016 and as such preferred 1st appeal with the Director of Education being FAA on 12/04/2016 and the Respondent No. 2 FAA vide order dated

19/05/2016 disposed the said appeal by holding that the appellant is satisfied with the inspection of files which were given to him.

5. Being aggrieved by the order of Respondent No. 2 FAA the Appellant approached this Commission by way of present appeal filed under section 19(3) of the RTI Act as against both the Respondents on 6/07/2016 with the prayers for furnishing the required information and for reimbursement of the expenses incurred by him and for invoking penal provisions as against both the Respondents.
6. The matter was listed on board and was taken up for hearing. In pursuant to the notice the appellant appeared in person. Respondent No. 1 was represented by Ishwar Patil and Respondent No. 2 was represented by Shri Dayanand Chawdikar. During the course of hearing the present PIO Shri Ishwar Patil volunteered to furnish information to the appellant with regards to his both applications that is 17/02/2016 and 22/02/2016.
7. On 5/04/2017 Respondent PIO submitted that he has carried the information at point No. 3 to 6 pertaining to applications dated 17/02/2016 and also carried the information at point No. 1 to 3 of appellant application dated 22/02/2016. However on account of absence of Appellant the same could not be provided to him. The Respondent No. 1 PIO further submitted that he will furnish the information to the appellant by Register A. D. before the next date of hearing. Accordingly, compliance report came to be filed by Respondent PIO on 24/04/2017 thereby providing copies of the information furnished to the appellant in respect of two above mentioned RTI applications vide their letter dated 10/04/2017 and 11/04/2017. He further submitted that date of hearing that is 24/04/2017 at 3.30. p.m. was also intimated to the appellant by him in said forwarding letters.
8. On account of absence of the Appellant no clarification could be sought from the appellant. However on verification of the information furnished to him vide letter dated 10/04/2017 and 11/04/2017 visa vis two RTI applications it is seen that all the queries have been answered by the Appellant.
9. It appears that the appellant has got no grievance as against the information furnished to him now as such he did not make himself available to substantiate his case despite of the intimation about the date of hearing as such this Commission holds that information

which came to be furnished to him is as per his requirement and satisfaction and that no intervention of this Commission is required as far as prayer (1). The application of appellant was responded on 22/03/2016 as such there is delay in responding the said application. There is also delay in transferring the application with regards to point no. 1 to the PIO of Vocational Section the same ought to have been transferred within 5 days from the date of receipt of the same.

10. However lenient view is taken against PIO in this case as nothing has brought on record by the appellant that such lapses on the part of the Respondent PIO are persistent. Respondent PIO is hereby directed to be vigilant henceforth while dealing with the RTI matters and any such lapse in future will be viewed seriously.

Appeal stands 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 against this order under the Right to Information Act 2005.

Pronounced in the open court.

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

KK/-

