

GOA STATE INFORMATION COMMISSION

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

Shri Prashant S. P. Tendolkar
Chief Information Commissioner

Appeal NO.85/SCIC/2017

Shri Suraj Borkar
H. No. 705, SBI Colony,
Alto Torda, Porvorim,
Bardez-Goa.

..... Appellant.

V/s

- 1) The Public Information Officer,
Dy. S.P. HQ,
North, Porvorim-Goa.
- 2) The First Appellate Authority,
Superintendent of Police (North),
Provorum, Bardez-Goa.

..... Respondents.

O R D E R

DATE:16/10/2017

1. While going through the records at the time of submissions of parties it is noticed that the appellant had filed the first appeal u/s 19(1) against the PIO, who is arrayed as respondent no.1 in this appeal. The appellant by his application, dated 08/03/2017, had requested information from PIO/Dy. S.P. Police H. Q. Panjim. By its letter, dated 15/03/2017, the said request was transferred u/s 6(3) of The Right to Information Act 2005 (ACT for short) to PIO/Jt. Director of Accounts and also to the respondent No.1 herein.

2. As the information as sought was contended to be with other PIOs also it was necessary to join the PIO to whom it was initially addressed and the and the transferee PIO as parties to the appeal. Any order passed by this Commission in their absence may become

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unenforceable. It is further seen that before the First Appellate Authority the said PIOs were not joined as parties. Hence present appeal would also be rendered premature.

3. In the circumstances I find it appropriate that the appellant is granted opportunity to seek redressal of his grievances by joining transferee PIOs as parties. Such an exercise is required to be undertaken at the first appellate stage and only after exhausting such opportunity that he can approach this commission, if aggrieved by the order in first appeal.

4. Considering the above requirements the appeal is disposed with the liberty to appellant to file first appeal u/s 19(1) of the act, within thirty days of this order, by joining the respondent no.1 as also the transferee PIOs, as parties therein.

The First Appellate Authority (FAA) shall not insist on the issue of limitation, in case such appeal is filed.

The right of appellant to file second appeal u/s 19(3) of the act, if aggrieved by order of FAA in such appeal, is kept open.

Above proceedings closed.

Notify the parties.

Pronounced in open hearing.

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

