

GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

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

Appeal 132/2016

Mr. Alex Fernandes,
r/o H.No 537/2/1,
Aradi, Guirim,
Bardez, Goa.

....Appellant

V/s.

1. First Appellate Authority (FAA),
Deputy Director of Panchayats,
3rd floor, Junta House,
Panaji Goa
2. The Public Information Officer (PIO),
Block Development Officer (BDO),
Government Building,
Mapusa,Goa.

....Respondents

Appeal filed on: 13/07/2016

Decided on: 26/04/2017

ORDER

1. The appellant Shri Alex Fernandes submitted application on 28/03/2016 under Right To Information Act, 2005. Seeking certain information at query from 1 to 4 from the Public Information Officer (PIO) BDO, Mapusa Goa.
2. The said application was responded by PIO on 18/04/16 thereby furnishing information at point no. 1 and 2 of his application the information at point no. 3 was not furnished to him on the ground that the point no. 3 of his application is not clear and specific. Vide said reply it was also informed that the information at point no. 4 was not available in the office.
3. The appellant being aggrieved by reply of PIO filed first appeal before First Appellate Authority (FAA) who is Respondent No. 2 herein on 9/05/2016 and the FAA, Respondent No. 2 herein vide

his order dated 20/05/2016 directed the PIO to issue information at point no 3 and 4 to the appellant within 20 days free of cost.

4. Since no information came to be furnished to him, the appellant approached this Commission by way of present appeal on 13/07/2016 with prayer to furnish proper and accurate information at point No. 4 and for invoking penal provision as contemplated u/s 20 of Right To Information Act 2005.
5. In pursuant to notice the appellant was represented by advocate Fernandes. The Respondent No. 1 PIO Shri K. S. Pangum present. Who submitted that the information at point No. 4 is with the Director of Panchayat and he had sought the same from them and showed his willingness to provide the same on the receipt of the same from the director of Panchayat. Accordingly on 25/04/17 he placed the memo on record alongwith the correspondence of Deputy Director of Panchayat dated 30/03/17 and letter of Head Clerk of Deputy Directorate of Panchayat 29/03/17. He further submitted that the said Shri Manohar S. Korgaonkar whose information is sought by appellant at point No. 4 was appointed in the year 1983 by Collector North Goa and there after he was transferred in the year 1994 to their department. It is his further submission that the collector being initial appointing authority information at point no. 4 is with them. As such it was requested that the appellant may be directed to approach the concerned authority for seeking information at point no. 4. The copy of letters alongwith annexures were provided to the Advocate for the appellant.
6. The Advocate for the appellant then submitted that since the information is available with Collector of North Goa, he will file appropriate application with them. He further submitted that he is satisfied with the reply given by the present PIO and the other information from point No. 1 to 3 of his application has already received by him as per his requirement and satisfaction. He further submitted that he is not pressing for penal provision and endorses his say on memo of appeal.
7. Inview of submission from the Advocate for the Appellant nothing survives in the present case. The appeal disposed accordingly proceeding 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/-fn

