

GOA STATE INFORMATION COMMISSION

‘Kamat Towers’, Seventh Floor, Patto, Panaji – Goa

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

Appeal No. 200/2016

Bharat L. Candolkar,
 Vady, Candolim,
 Bardez Goa. 403515.

....Appellant

V/s.

1. Public information Officer,
 Mamlatdar of Bardez,
 Mapusa Bardez Goa.
2. First Appellate Authority,
 Deputy Collector of Bardez,
 Mapusa Goa.

...Respondents

Filed on: 26/09/2016
Decided on: 18/05/2017

ORDER

1. In exercise of his right under section 6(1) of Right to information Act 2005 (RTI Act 2005) the Appellant Shri Bharat Kandolkar by his application dated 20/06/2016 sought certain information at point no. (a) to (e) as stated therein in the said application from the Public Information Officer (PIO)of Mamlatdar of Bardez, Mapusa-Goa.
2. Since the said was not responded by PIO within 30 days, as stipulated under RTI Act, deeming the same as rejection. The appellant preferred 1st appeal on 29/07/2016 before the Deputy Collector, Mapusa being 1st Appellate Authority and the Respondent No. 2, First Appellate Authority (FAA) by an Order dated 1/09/2016 allowed the said appeal and directed PIO to furnish the complete information including the file inspection to the Appellant within seven days.
3. It is the case of the Appellant that the Respondent No. 1 PIO have not complied with the order of Respondent No. 2

FAA. As such he landed up by way of second appeal under section 19(3) of RTI Act 2005, with the prayer for furnishing information free of cost, for inspection of records and for imposing penalty and compensation on the Respondent PIO.

4. In pursuant to the notice, the appellant appeared in person alongwith Advocate A. Mandrekar. Respondent No. 1 was represented by Ashok Naik and by then PIO Madhu Narvekar.
5. During the course of hearing information came to be furnished to the Appellant on 7/04/2017 and the appellant was told to verify the same. On subsequent date of hearing the appellant submitted that he is satisfied with the information which came to be provided to him belatedly. He further submitted that since there is delay in furnishing information lot of his valuable time is being spent in pursuing the said application and seeking the said information as such prayed for compensation.
6. Then PIO Shri Madhu Narvekar on 18/05/2017 submitted that delay was not intentional and purposive and was on account of non cooperation of his staff. However he volunteered to compensate the appellant on humanitarian grounds.
7. In the above given circumstances the Commission is of the opinion that ends of justice will meet with following order:-

ORDER

- a) Appeal partly allowed.
- b) Since the information is furnished to the appellant as per his requirement no intervention of this Commission is required.
- c) The compensation of Rs. 2000/- shall be paid to the appellant by then PIO Shri Madhu Narvekar within 7 days from the date of the order for causing him mental agony in seeking the information.

d) The then PIO is hereby directed to be vigilant hence forth and any such lapses in future will be viewed seriously.

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/-