

# **GOA STATE INFORMATION COMMISSION**

Kamat Towers, seventh Floor, Patto, Panaji, Goa

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**Shri Prashant S. P. Tendolkar,**  
State Chief Information Commissioner,

**Appeal No. 166/2018/CIC**

Rabindra A. L. Dias,  
Dr. Pires Colony, Block "B",  
Cujira, St. Cruz. Tiswadi-Goa.

**....Appellant**

V/s

- 1) The Public Information Officer  
O/o the Village Panchayat of Sernabatim,  
Vanelim, Colva & Gandaulim  
Colva, Salcete, Goa
- 2) First Appellate Authority,  
O/o Block Development Officer,  
Mathany Saldana Administrative Complex  
Margao - Goa.

**.....Respondents**

**Date: 28/11/2018**

## **ORDER**

- 1) This order shall dispose the application dated 11/07/2018 filed by appellant herein for condonation of delay caused in filing the present second appeal.
- 2) The fact in brief as pleaded in the appeal memo and as seen from records are that the appellant filed his application on 23/12/2017 u/s 6(1) of The Right to Information Act 2005 (Act) seeking certain information. According to appellant, the same was not responded by PIO. The appellant being aggrieved filed first appeal to respondent no.2 being First Appellant Authority (FAA).

...2/-

According to appellant in the course of the hearing of the first appeal the PIO filed a letter dated 16/01/2018, which was a transfer u/s 6(3) after 25 days of receipt of application u/s 6(1). The first appeal was thereafter disposed on 05/03/2018.

The appellant has filed second appeal before this commission u/s 19(3) of the Act along with the application for condonation of delay.

- 3) According to appellant the first appeal was filed on 29/01/2018 and decided on 05/03/2018. Hence the second appeal u/s 19(3) was required to be filed within 90 days from 05/03/2018 which expires on 04/06/2018. As against this date the appellant has filed this second appeal on 11/07/2018, which is about 37 days after the said date.
- 4) The appellant has filed application for condonation of delay. The said application does not say as to for which period appellant was incapacitated from filing this second appeal. It was not supported by proper medical evidence.
- 5) The act provides for condonation for delay by the commissioner on sufficient grounds. No such order was sought. As the present appeal was registered without condoning the delay by commissioner explanation was sought from the registrar of this commission however no reply was filed by registrar. The appeal is registered after expiry of the period of limitation.

...3/-

6) Considering the above grounds I find that the delay in filing the appeal is not explained and justified. Thus I find no merits in the said application. The said application dated 11/07/2018 is therefore dismissed. Consequently the appeal also stands dismissed.

Pronounced in open hearing.

Sd/-

**(Shri. P. S.P. Tendolkar)**

Chief Information Commissioner  
Goa State Information Commission  
Panaji –Goa