

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji Goa

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

Appeal No.103/2018/CIC

Mr. Siddesh S. Simepurushkar,
R/o Flat No.F2,
Ananta Apartment, Angod Waddo,
Mapusa Bardez –Goa. Appellant

V/S

The Public Information Officer,
Administrator of Comunidades (North Zone),
Mapusa, Bardez –Goa. Respondent

Filed on:27/04/2018
Disposed on: 26/09/2018

O R D E R

- 1) The appellant has filed this second appeal u/s 19(3) of the Right to Information Act 2005, (Act for short). His grievance in the appeal is that by his application, dated 02/01/2018, he has sought information under the act. The information was not furnished within time and hence he filed first appeal.
- 2) In the first appeal, vide order, dated 4/04/2018, the PIO was directed to furnish the information. In spite of said order the information is not furnished hence this second appeal.
- 3) After notifying the parties the appellant appeared. The PIO was represented by Shri Ramesh Tulaskar, Acting Secretary of respondent Authority. In spite of granting opportunity PIO failed to file any reply substantiating his conduct in not furnishing information. In view of non filing of reply and non appearance on subsequent dates by the PIO, the matter was posted for orders.

...2/-

- 4) Perused the records. It is found that the application u/s 6(1) was not responded to by PIO either by furnishing information or refusing the request. On going through the order of the First Appellate Authority it is seen that before said Authority also PIO failed to appear and substantiate his stand for not furnishing information. The PIO has also not given any grounds for not complying with the order of First Appellate Authority.
- 5) Considering the above position and the nature of information sought, this Commission finds that the information as sought by appellant ought to have been furnished.
- 6) In the above circumstances Commission finds no grounds to reject the prayer seeking information and consequently, the appeal is allowed. PIO is hereby directed to furnish to the appellant free of cost, the information sought by him vide his application, dated 02/01/2018, within 15 days from the date of receipt of this order by it.

The appellant is further directed to file memo furnishing the name and present place of posting of the concerned PIO within 15 days from the date of receipt of this order by him.

On receipt of such memo, registry to issue notice to the concerned PIO to show cause as to why penalty u/s 20(1) and 20(2) of The Right to Information Act 2005, should not be imposed.

Appeal disposed accordingly. Proceedings closed.

Notify parties.

Pronounced in open proceedings.

Sd/-

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

State Chief Information Commissioner
Goa State Information Commission
Panaji - Goa