

GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

Appeal No. 166/2017

Jawaharlal T. Shetye,
H. No. 35/A, Ward No. 11,
Near Sateri Temple,
Khorlim-Mapusa-Goa.

.....Appellant

V/s.

1.The Public Information Officer (PIO),
Shri S. L. Ghate,
Kadamba Transport Corporation Ltd.,
Alto Porvorim Goa.

2.First Appellate authority (FAA),
Shri Derrick Neto Pereira(M.D.),
Kadamba Transport Corporation Ltd.
Alto Porvorim Goa.

.....Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 11/10/2017

Decided on:12/2/2018

ORDER

1. The brief facts leading to present appeal are that the appellant Shri Jawaharlal T. Shetye by his application, dated 19/7/2017, filed u/s 6(1) of The Right to Information Act, 2005 sought certain information from the PIO of office of Kadamba transport Corporation Ltd. Porvorim Bardez, Goa, under eight points as stated therein in the said application.
2. The said application was responded by Respondent No.1 PIO herein on 14/8/2017 thereby providing the information to the appellant wherein all query of the appellant were answered
3. As the information furnished to him was not as per requirement of the appellant , the appellant filed first appeal on 28/8/2017

before the managing Director of Kadamba Transport Corporation, respondent No.2 herein, and the respondent No. 2 first appellate authority by an order dated 4/10/2017 disposed the said appeal .

4. The appellant being aggrieved by said response of PIO and first appellate authority, has approached this Commission on 11/10/2017 in this second appeal u/s 19(3) of the act with the contention that the information is still not provided at point No. 2,3(i),(ii)(iii) (iv)(v) and (vii), 5,6,7,and 8,seeking order from this commission to direct the PIO to furnish the information and also for directions for implementation of provision of section 4(1) (a),and 4 (1)(b) of RTI Act 2005.
5. In pursuant to notices of this commission, Appellant was present in person. Respondent the PIO Shri Sanjay Ghate appeared. Respondent No. 2 Shri Derrick Neto was present.
6. Reply filed by PIO on 8/1/2018. Reply filed by Respondent No. 2 first appellate authority on 14/12/2017.
7. The copy of both the replies were furnished to the appellant. The appellant on verification of the reply and the information furnished to him by the PIO submitted that he is not satisfied with the information furnished to him at point NO. 6 and 7. The appellant also filed application on 19/1/2018 thereby praying to call for relevant file for joint inspection in order to verify the said information and to get satisfied .
8. It is the contention of the appellant that he had sought the said information in order to approach the competent authority . He further contended that the said information was sought by him in larger public interest in order to expose the irregularities done by the officials of the public authority.

9. The said application dated 19/1/2018 of the appellant was granted by this Commission and PIO was directed to give the inspection of the relevant document to the appellant .
10. Accordingly on 19/1/2018 appellant submitted that he had carried out he inspection of the relevant files from the office of KTC and found that there was no documents pertaining to point no. 7 except of Mrs. Nutan Gad, Mrs Piedade Fernandes and Abhay Panjekar The appellant contended that his grievance is only at only point No. 7 and the rest of the information provided to him is to his satisfaction.
11. The Respondent PIO sought time to seek the clarification once again from EDP manager and agreed to provide additional information with regards to point no. 7 and accordingly additional reply came to be filed on 22/1/2018 thereby enclosing the information provided to him by the EDP Manager . The copy of the said reply could not be furnished to the appellant on account of his absence. Appellant was directed to collect the same but he failed to do so.
12. The matter was thereafter called out on number of occasion but non of the party turned up or showed any further interest thereafter , nevertheless, as substantial time has since elapsed, the commission felt it appropriate to now disposed of this appeal on the basis of the material filed and which are available on record.
13. On verification of the information provided to him vide application dated 22/1/2018 it is seen that the query of the appellant at point no. 7 is clearly answered and the report of the EDP Manager dated 19/1/2018 is also enclosed to the same.

14. In the above given circumstances and as appellant has not collected the information, I feel ends of justice will meet with following directions .

ORDER

- a. The appellant is hereby directed to collect the information submitted by the Respondent PIO vide his application dated 22/1/2018 within 15 days from the receipt of the order from the office of this Commission. Liberty also granted to the appellant to seek additional information pertaining to same subject matter.
- b. To comply with provision of section 4(1)(a) and 4 (1) (b) of RTI Act, 2005 in its true spirit.

With the above directions, the appeal proceedings stands closed.

Notify the parties.

Pronounced in the open court.

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.

Sd/-

(Ms.Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission,
Panaji-Goa

