

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

Appeal No.62/2019/SIC-I

Sasha De Santa Rita Vas,
H.No.788,Damodar Bldg,
Near Police Station,
Margao-Goa .

....Appellant

V/s

1)The Public Information Officer,
Canacona Municipal Council,
Canacona -Goa.

2)First Appellate Authority,
Chief Officer,
Canacona Municipal Council,
Canacona-Goa.

.....Respondents

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

Filed on: 11/03/2019
Decided on: 08/04/2019

ORDER

1. The second appeal came to be filed by the appellant Sasha De Santa Rita Vas on 11/3/2019 against the Respondent No.1 Public Information Officer of Canacona Municipal Council, Canacona- Goa and as against Respondent no. 2 first appellate authority under sub section (3) of section 19 of RTI Act 2005.
2. The brief facts leading to the second appeal are that the appellant vide application dated 25/10/2018 had sought for certain information from Chief Officer of Canacona Municipal Council, Canacona Goa as listed therein at serial No.1 to 9 pertaining to re-construction of house in her property bearing Survey No. 79/1 situated in Village Nagorcem, Paloleim,3 Canacona in ward No.VII of CMC.

3. It is the contention of the appellant that her above application filed in terms of sub section 1 of section 6 was not responded by the respondent no. 1 PIO nor any information was furnished to her within stipulated time as contemplated under the RTI Act as such deeming the same as refusal/rejection, the appellant filed 1st appeal on 18/12/2018 to Respondent no. 2 Chief Officer of Canacona Municipal Council being first appellate authority in terms of section 19(1) of RTI Act, 2005.
4. It is the contention of the appellant that the respondent no. 2 first appellate authority failed to dispose her first appeal and also failed to give any information even after 45 days of filing the first appeal as such she being aggrieved by the action of both the respondents is forced to approached this commission in her 2nd appeal seeking relief of directions to PIO to furnish the information and also seeking penalty for not giving information within time.
5. The matter was taken up on board and was listed for hearing. In pursuant to notice of this commission, Appellant was represented by Shri Damodar Gopal Raul. Both the Respondents opted to remain absent.
6. An application came to be filed by the appellant on 8/4/2019 through her representative for withdrawing the appeal proceedings on the ground that the application was not made to correct authority/PIO.
7. In view of the application filed on 8/4/2019, the present appeal stands disposed as withdrawn. The right of the appellant to seek the information on the same subject matter is kept open.

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.