

GOA STATE INFORMATION COMMISSION
Kamat Towers, seventh Floor, Patto, Panaji, Goa

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

Appeal No.319/2019/CIC

Shri Nazareth Baretto,
Hno.126, Borda,
Margao, Salcete-Goa 403602 **Appellant**

V/s

- 1) The Public Information Officer,
South Goa Planning & Development Authority ,
Margao, Salcete-Goa.
- 2) The Member Secretary,
O/o the member Secretary SGPDA,
First Appellate Authority,
Margao-Goa. **Respondents.**

The following order is passed in the course of the hearing of the above Appeal on 07/01/2020.

“Taken up before CIC:

Appellant present in person. PIO represented by Adv. Pereira. Adv. Pereira withdraw walkalatnama filed by him on behalf of Respondent No. 2 i.e. FAA. Leave granted. Shri Ashok Kumar, Member Secretary of SGPDA and FFA present in person and files affidavit in reply.

Submission of the parties were heard. On going through the records, more particularly the application, dated 30/04/19 filed under section 6(1) of the RTI Act it is an admitted fact that the said application was not replied by the PIO. On the behalf of PIO it is volunteered that the said information can be furnished if directed by the commission.

On perusal of the application it is seen that in respect of points 3 and 4 there is an ambiguity regarding the nature of information to be furnished.

...2/-

Considering the said submission I find that as the information on points 1, 2 5, 6 and 7 of the appellant application dated 30/04/2019 are clear in itself, the same can be furnished. Accordingly I direct the PIO to furnish the appellant the information as sought by him at points 1, 2, 5, 6 and 7 of his application dated 30/04/2019 free of cost within 30 days from today.

As far as information at points (3) and (4) the rights of the appellant to seek the information as sought there under with clarity are kept open.

It is further seen from the records that the PIO has not decided the application of the appellant, dated 30/04/2019 within time as is required under sec 7(1) and (2) of the Act. Had it been responded in time the respondent authority could have earned the revenue towards cost of fees. PIO is thus responsible for causing loss in revenue to the Respondent authority. However, considering this as the first case before me, a lenient view is taken and PIO is warned to be diligent henceforth in dealing with application under RTI. Needless to say that any laps on the part of PIO henceforth shall be reported to the appropriate authority with suitable recommendations for initiating action against PIO.

With the above observation appeal stands disposed

Sd/-
CIC

Sd/-
(Ulhas N. Kadam)
Under Secretary cum Registrar
Goa State Information Commission
Panaji –Goa

Taken up before CIC:

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CIC