

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

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Appeal No.109/2021/SCIC

Mrs. Joanita L.R. Martins,
H.No. 36(532), Riberio Waddo,
Porvorim, Socorro,
Bardez-Goa.

.....Appellant

V/S

1. The Public Information Officer,
Administrator of Comunidade of North Zone,
Mapusa-Goa.

2. The First Appellate Authority,
The Additional Collector-III,
Mapusa-Goa.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 19/05/2021

Decided on: 15/12/2021

FACTS IN BRIEF

1. The Appellant, Mrs. Joanita L.R. Martins, H.No. 36(532), Riberio Waddo, Porvorim, Socorro, Bardez-Goa by application dated 25/09/2020 filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought information from the Public Information officer (PIO), Administrator of Comunidade North Zone, Mapusa-Goa.
2. Said application was not replied by the PIO, within stipulated period, therefore deeming the same as refusal, Appellant filed first appeal before the Additional Collector-III at Mapusa, Bardez-Goa being the First Appellate Authority (FAA).
3. The FAA by its order dated 18/02/2021 allowed the said appeal and directed the PIO to furnish the information free of cost within fifteen days from the date of passing the order.

4. Since the PIO failed and neglected to comply the order of FAA, the Appellant preferred this second appeal under sec 19(3) of the Act before the Commission.
5. Notice was issued to the parties, inspite of a valid service of notice, the Appellant, the PIO and FAA failed to appear before the Commission for hearings.
6. Since none of the parties in the proceeding have appeared for the hearing before the Commission, I dispose this appeal on the basis of available records.
7. On perusal of the order of FAA dated 18/02/2021, it shows that PIO was directed to furnish the information free of cost within fifteen days from the date of passing of the order.
8. Records reveals that, upon the order of FAA, Appellant pursued the matter with PIO and by letter dated 10/03/2021 submitted the copy of order of FAA and demanded for inspection of the file and purported information.
9. Records also indicate that, the relevant file is now traced in the office of public authority and PIO also offered inspection of the file to the Appellant.
10. The Appellant has failed to pursue the matter and did not appear for the hearings on 03/08/2021, 17/09/2021, 14/10/2021, 23/11/2021 and 15/12/2021, before the Commission.
11. Though the PIO has offered inspection, it is not clear if the Appellant has been furnished information, considering the same, I hereby pass the following:-

ORDER

- The appeal is partly allowed.
- The PIO is hereby directed to comply with the order of FAA dated 18/02/2021 and furnish the information within fifteen days from the receipt of this order.
- Proceeding closed.
- Pronounced in open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner