

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

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Appeal No. 184/2020

Shri. Yeshwant J. Mahale,
29-B/3, Jamkhal,
Unity Village, Karaswada,
Mapusa-Goa.

-----Appellant

v/s

1. Public Information Officer,
Executive Engineer, WRD,
Water Resources Department,
Dhargal, Pernem- Goa. 403513

2. The First Appellate Authority,
Office of the Superintendent Engineer, WRD,
Sinchai Bhavan, Near Police Station,
Porvorim-Goa .

----Respondents

Shri Vishwas R. Satarkar - State Chief Information Commissioner

Filed on:-30/10/2020

Decided on:-17/09/2021

FACTS IN BRIEF

1. Appellant, Shri. Yeshwant Jiwaji Mahale, r/o house No. 29-B/3, Jamkhal, Karaswada, Mapusa-Goa, by his application dated 29/05/2020 filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from Public Information Officer (PIO), office of Executive Engineer, Water Resources Department, Dhargal, Pernem-Goa.
2. The said application was replied by the PIO on 01/06/2020 stating that information at point No. 1 to 5, 7 and 8 has been transferred to APIO, Assistant Engineer, Sub-Division-II, Works Division VII

and informed the Appellant that requisite details will be furnished after receiving the same from concerned Sub-division office.

It was also informed to the Appellant that information at point No. 6 being voluminous, he is requested to visit Water Resources Department at Dhargal, Pedne and identify the documents and thereafter documents will be furnished on making necessary payment.

3. However since the Appellant did not receive the information sought for within stipulated time, he preferred first appeal before Superintending Engineer, Water Resources Department at Porvorim, Bardez-Goa being the First Appellate Authority (FAA).
4. The FAA by its order dated 31/07/2020 disposed off said first appeal after giving the inspection of the file.

However according to the Appellant, FAA has passed the order without following the proper procedure, on being aggrieved by this, he has landed before this Commission under sec 19(3) of the Act in this second appeal, with the prayer that PIO be directed to furnish the information free of cost, penalty be imposed on PIO for intentionally denying the information and disciplinary action be recommended against the PIO.

5. Notice was issued to the parties, pursuant to which, PIO Shri. Azad Vernekar appeared and filed his reply on 06/08/2021. FAA appeared through his Junior Engineer, Shri. Vivek Joshi but chose not to file reply in the matter, Appellant appeared on 25/03/2021, however did not appeared for subsequent hearings.
6. Perused the records and also considered the pleadings of the parties.
7. According to PIO, Appellant personally inspected the file and the available information with the Department has been furnished to Appellant on 13/08/2020 and accordingly Appellant has

acknowledged that he has received all the documents except 6(b). He also produced on record the letter dated 18/06/2020 with the endorsement and signature of Appellant.

8. From the records it reveals that Appellant carried out the inspection and PIO accordingly, has furnished the information to the Appellant. Since available information has been furnished by the PIO to the Appellant and the same is accepted by the Appellant, I hold that nothing survives in this appeal.
9. In view of the above backdrop, I find that there is no denial of information by the PIO. I find that the approach of the PIO is bonafide and genuine and therefore there is no ground to invoke any penal action against PIO under sec 20 of the Act.

Considering the above position the appeal stand disposed with following:

O R D E R

- The appeal is dismissed.
- Proceedings closed.
- Pronounced in open court.
- Notify the Parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner