

# GOA STATE INFORMATION COMMISSION

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**Shri. Sanjay N. Dhavalikar**, State Information Commissioner

**Appeal No. 07/2020**

Shri. Dattaprasad Prabhu Gaonkar,  
H. No. 234, Maxem,  
Canacona – Goa.  
v/s

..... Appellant

1)The Public Information Officer,  
Mamlatdar of Canacona,  
Canacona – Goa.

2)The First Appellate Authority,  
Deputy Collector & SDM Canacona,  
Canacona – Goa.

.... Respondents

Filed on : 27/12/2019

Decided on : 22/10/2021

## **Relevant dates emerging from appeal:**

RTI application filed on	: 21/05/2019
PIO replied on	: 09/07/2019
First appeal filed on	: 27/09/2019
FAA order passed on	: 15/11/2019
Second appeal received on	: 27/12/2019

## **ORDER**

1. The second appeal filed under section 19(3) of the Right to Information Act, 2005 (for short, the Act), by Shri. Dattaprasad M. Prabhu Gaonkar, resident of Maxem, Canacona – Goa, against Respondent No. 1 Public Information Officer (PIO), Mamlatdar of Canacona and Respondent No. 2, First Appellate Authority (FAA) Deputy Collector and SDM, Canacona, came before this Commission on 27/12/2019. The Appellant prayed for the information free of charge.

2. The brief facts leading to the second appeal, as contended by the Appellant are that the Appellant vide application dated 21/05/2019 sought information on 7 points from PIO, Office of Under Secretary (Revenue). The said application was transferred to Additional Collector, South Goa vide letter dated 22/05/2019 and further transferred by Additional Collector to PIO, Mamlatdar of Cancona vide letter dated 31/05/2019. Appellant received reply dated 09/07/2019 from PIO, Mamlatdar Canacona, however no information was furnished. Being aggrieved, Appellant filed first appeal dated 27/09/2019 before the FAA, which was disposed by the FAA on 15/11/2019 by not allowing the condonation of delay.
3. The Appellant preferred second appeal against the denial of information by PIO and refusal to consider first appeal by FAA. The appeal was registered in the Commission and notice was issued to the concerned parties. The appellant appeared before the Commission on 17/02/2020, however both the respondent remained absent. It is seen from the records that further hearing could not be conducted due to pandemic and the then commissioner demitted office on completion of tenure. Proceeding resumed upon joining of new Commissioner. However, neither Appellant nor Respondents appeared even once, inspite of the opportunities granted. Finally, fresh notice dated 26/08/2021 was issued to the concerned parties to appear before the Commission on 05/10/2021.
4. Shri. Shivanand Kudtarkar, representative of Shri. Vimod M. Dalal, PIO and Mamlatdar of Canacona, appeared under authority letter and filed written submission dated 04/10/2021. The PIO stated that the information available in his office has been already furnished to the appellant and the appellant has endorsed the same.
5. It is seen from the enclosures attached with the written submission that, the available information has been furnished to the Appellant

and the Appellant has endorsed the same on 24/02/2020. It is also seen that the entire information has not furnished and only part information which is available in PIOs office has been furnished. However, the Appellant has endorsed the same and has not registered any grievance before the Commission inspite of the opportunity given.

6. In view of the facts mentioned above, the Commission is of the opinion that PIO has furnished available information and the prayer for information therefore becomes infructuous. However, the Commission has noted that the PIO has furnished the information after much delay. Therefore before closing, the Commission warns the PIO to handle RTI application more diligently and efficiently.

7. Accordingly, the appeal is disposed as dismissed and proceeding stands closed.

Pronounced in the open court.

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.

Sd/-

**Sanjay N. Dhavalikar**  
State Information Commissioner  
Goa State Information Commission  
Panaji - Goa