

GOA STATE INFORMATION COMMISSION

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 160/2021/SIC

Shri Nixon L. Furtado,
H No. 51, Copelwado,
Sernabatim, Salcete Goa, 403 708Appellant

V/s

1. Public Information Officer,
Office of the Margao Municipal Council,
Margao-Goa 403601
2. The First Appellate Authority,
Office of the Margao Municipal Council,
Margao-Goa, 403601Respondents

Filed on : 23/07/2021

Decided on : 23/12/2021

Relevant dates emerging from appeal:

RTI application filed on	: 22/03/2021
PIO replied on	: 20/04/2021
First appeal filed on	: 25/06/2021
First Appellate Authority Order passed on	: 12/07/2021
Second appeal received on	: 23/07/2021

ORDER

1. The appellant vide application dated 22/03/2021 filed under section 6(1) of the Right to Information Act, 2005 (for short, the Act) had sought certain information from Respondent No. 1 Public Information Officer (PIO). The appellant states that the PIO vide letter dated 20/04/2021 furnished wrong information. Being aggrieved, the appellant filed appeal dated

29/06/2021 before Respondent No. 2 First Appellate Authority (FAA). However, the FAA rejected the appeal stating the appeal is filed after the stipulated period. Hence the appellant preferred second appeal dated 23/07/2021 before this Commission praying for correct information and necessary action against both the respondents.

2. The concerned parties were notified and pursuant to the notice, PIO Shri. Prashant Narvekar appeared alongwith his advocate. The appellant was represented by his brother Shri. Nevil L. Furtado. PIO filed reply on 27/09/2021, furnished part information on 25/10/2021 and later furnished remaining information to the appellant. The appellant filed a submission dated 24/11/2021.
3. During the hearing on 27/09/2021, the PIO stated that he was always willing to furnish the entire information to the appellant, however, the appellant did not visit his office, hence the information could not be furnished. On this, the representative of appellant stated that he made attempts to visit PIO's office, however he was denied the entry due to lockdown declared by the Government to prevent spread of Covid-19.
4. It was discovered during the proceeding that the PIO is actually willing to furnish the information sought by the appellant, provided the same is identified by the appellant. Hence the Commission directed PIO to facilitate inspection of relevant documents to the appellant and the appellant agreed to visit PIO's Office. Accordingly the appellant visited PIO's Office and identified the documents he had sought vide application dated 22/03/2021. Subsequently the PIO furnished

the information to the appellant vide letter dated 29/10/2021 and filed the compliance report before the Commission on 01/12/2021. The appellant vide submission dated 24/11/2021 endorsed the receipt of complete and correct information and requested the Commission to close the matter.

5. It is seen that the PIO never denied any information to the appellant, he readily facilitated the inspection of the records during the proceeding and furnished the information immediately after the relevant documents were identified by the appellant. Delay was due to the lockdown restrictions and PIO cannot be blamed for the same.
6. The information has been furnished and the appellant has not pressed for further action. In view of this, the appeal is disposed as dismissed and the 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

