

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No. 243/2021/SCIC

Mahendra Vaigankar,
H.No. 54, Chinchwada,
Chimbel, Ribander,
Tiswadi-Goa 403006.

.....Appellant

V/S

1. Prakash Naik,
The Public Information officer,
Department of Information and Publicity,
Udyog Bhavan, 3rd Floor,
Panaji-Goa 403001.

2. Dipak M. Bandekar,
The First Appellate Authority,
Department of Information and Publicity,
Udyog Bhavan, 3rd Floor,
Panaji-Goa 403001.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 01/10/2021

Decided on: 19/08/2022

FACTS IN BRIEF

1. The Appellant, Mahendra Vaigankar r/o. H.No. 54, Chinchwada, Chimbel, Ribander, Tiswadi-Goa by his application dated 05/07/2021 filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from the Public Information Officer (PIO), Director of Information and Publicity, Udyog Bhavan, Panaji-Goa.
2. The said application was responded by the PIO on 02/08/2021, requesting the Appellant to take the inspection of the file as the information sought was unspecific and voluminous.
3. Not satisfied with the reply of the PIO, the Appellant filed first appeal before the Director, Department of Information and Publicity at Panaji-Goa being the First Appellate Authority (FAA).

4. The FAA by its order dated 03/09/2021 allowed the first appeal and directed the PIO to furnish the information free of cost to the Appellant within 15 days from the date of the order.
5. Since the PIO failed and neglected to comply the order of the FAA and furnished the information, the Appellant landed before the Commission with this second appeal under sec 19(3) of the Act.
6. Notice was issued to the parties, pursuant to which the PIO, Shri. Prakash Naik appeared and filed his reply on 02/03/2022. He also placed on record the order of the FAA dated 03/09/2021.
7. That during the course of final hearing on 10/05/2022, the PIO appeared and submitted that he is ready and willing to furnish the information, however, same is bulky and voluminous. Since the Commission is more concerned with providing the information, the Commission directed the PIO to furnish the information first, without going to the other aspect of the appeal and matter was posted for compliance.
8. On the next date of hearing i.e on 14/07/2022 Shri. Prakash Naik, the PIO appeared and placed on record the bunch of documents to the Appellant and submitted that he has produced the entire records.
9. The Commission finds that, the information sought for has been provided free of cost to the Appellant, which is in the records of the proceeding, as the Appellant did not appear for subsequent hearing on 14/07/2022 and 19/08/2022, leave is granted to the Appellant to collect the copy of the said information.
10. In the present case, the RTI application dated 05/07/2021 was replied by the PIO on 02/08/2021, which is within stipulated time, the PIO also complied the order of the FAA and furnished the voluminous information free of cost to the Appellant.

11. Considering the above, I find no grounds to impose the penalty against the PIO as prayed by the Appellant, therefore I hereby dispose the appeal with the liberty to the Appellant to collect the copy of the information produced by the PIO within 30 days from the receipt of the order.

- Proceeding closed.
- Pronounced in open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner