

**GOA STATE INFORMATION COMMISSION**

“Kamat Towers” 7<sup>th</sup> Floor, Patto Plaza, Panaji, Goa – 403 001

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

**Appeal No. 146/2022/SIC**

Shri. Jawaharlal T. Shetye,  
H.No. 35/A, Ward No. 11,  
Khorlim-Mapusa-Goa 403507.

-----Appellant

**v/s**

1. The Public Information Officer,  
S.K. Narvekar,  
Goa Tourism Development Corporation Ltd.,  
3<sup>rd</sup> Floor, Paryatan Bhavan,  
Patto, Panaji-Goa 403001.

2. The First Appellate Authority &  
The General Manager (S&R),  
Goa Tourism Development Corporation Ltd.,  
3<sup>rd</sup> Floor, Paryatan Bhavan,  
Patto, Panaji-Goa 403001.

-----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 23/02/2022
PIO replied on	: 30/03/2022
First appeal filed on	: 13/04/2022
First Appellate Authority passed order on	: Nil
Second appeal received on	: 02/06/2022
Decided on	: 26/09/2022

**ORDER**

1. Aggrieved by non furnishing of complete information by Respondent No. 1, Public Information Officer (PIO), and non hearing of first appeal by Respondent No. 2, First Appellate Authority (FAA), appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') filed second appeal before the Commission.
2. Pursuant to the notice, Shri. S. K. Narvekar, PIO appeared in person and filed reply on 25/07/2022 alongwith the information. PIO was directed to dispatch the said information to the appellant by registered A.D. Post. PIO gave an undertaking to comply the direction within 02 days.
3. During the hearing on 08/08/2022 appellant appeared and acknowledged the receipt of complete information. The matter was posted on 24/08/2022 and later on 26/09/2022 to give an opportunity to appellant to raise objection, if any, pertaining to the information furnished by the PIO. However, appellant has not

appeared, nor registered any reservation regarding the information. Hence, the Commission concludes that the information as requested by the appellant has been furnished by the PIO.

4. It is noted that the appellant under Section 19 (1) of the Act had filed first appeal, however the FAA did not hear and dispose the appeal within 45 days, as provided under Section 19 (6) of the Act. FAA, by not hearing and deciding the appeal has caused inconvenience to the appellant and injustice to the PIO. The Commission has no jurisdiction to penalise FAA for his failure to dispose the first appeal however, the FAA is warned that repeated action of non hearing and non disposing of the first appeal in future will be considered as dereliction of duty under the Act.
5. Since the information sought by the appellant vide application dated 23/02/2022 has been furnished, the prayer for information becomes infructuous and thus the appeal is disposed accordingly.

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

