

GOA STATE INFORMATION COMMISSION

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CORAM: Shri Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 18/2022/SIC

Master Sousa Leonardo Caetano,
Sao Bras, Gaundalim, Tiswadi,
Post Office Marcela, Ilhas Goa 403107.

-----Appellant

v/s

1. The Public Information Officer,
Office of the Mamlatdar of Tiswadi,
Panaji-Goa 403001.

2. The First Appellate Authority,
Office of the Mamlatdar of Tiswadi ,
Panaji-Goa 403001.

-----Respondents

Filed on:-19/01/2022
Decided on: 21/04/2022

Relevant dates emerging from appeal:

RTI application filed on	: 29/09/2021
PIO replied on	: Nil
First appeal filed on	: 01/11/2021
First Appellate authority order passed on	: Nil
Second appeal received on	: 19/01/2022

ORDER

1. Aggrieved by non furnishing of the information by Respondent no.1 Public Information Officer (PIO) and non hearing of the appeal by Respondent No. 2 First Appellate Authority (FAA), appellant filed second appeal under section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the Act).
2. The matter was taken up on board and the concerned parties were notified. Pursuant to the notice, appellant appeared in person. Shri. Sanjeev Signapurkar, PIO appeared on 21/03/2022 and furnished the information to the appellant and filed reply on the same day.
3. PIO stated in the reply that information sought by the appellant under point no.1, 2 and 3 has been furnished, and information with respect to point no. 4 is not available in the office records of the PIO. By stating this, PIO prayed for disposal of the appeal.

4. It is seen that though the PIO did not respond to the appellant within the stipulated period of 30 days, subsequently, during the proceeding of this appeal furnished the information as sought by the appellant and the appellant acknowledged the receipt before the Commission. PIO did not get an opportunity to furnish the information or justify the deemed refusal during the proceeding of the first appeal since the FAA failed to hear the appeal.
5. FAA is hereby reminded of his duty to hear and decide the appeal filed under section 19(1) of the Act within the mandatory period. Similarly, the PIO is admonished to act strictly as per the provisions of the Act and deal accordingly with the applications received under section 6 (1) of the Act.
6. In the background of the facts mentioned above, the Commission concludes that the information sought by the appellant vide application dated 29/09/2021 has been furnished by the PIO. Hence prayer for the information becomes infructuous and no more intervention of the Commission is required in the present matter.
7. Thus, the appeal is disposed accordingly 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