

GOA STATE INFORMATION COMMISSION

“Kamat Towers” 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 142/2022/SIC

Sarvesh Pai Kane,
H.No. 6/2376, Colmorod,
Opp. Goa Bagayatdar,
Margao-Goa 403707

-----Appellant

v/s

1. The Public Information Officer,
The Village Panchayat Naqueri-Betul,
Taluka Quepem-Goa.

2. The First Appellate Authority,
Block Development Officer,
Quepem-Goa.

-----Respondents

Filed on: 27/05/2022
Decided on: 11/08/2022

Relevant dates emerging from appeal:

RTI application filed on	: 14/12/2021
PIO replied on	: Nil
First appeal filed on	: 11/02/2022
First Appellate authority order passed on	: 28/02/2022
Second appeal received on	: 27/05/2022

ORDER

1. Aggrieved by non furnishing of the complete information by Respondent No.1, Public Information Officer (PIO) inspite of the direction from 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. The said appeal came before the Commission on 27/05/2022.
2. Notice was issued to the concerned parties, pursuant to which Shri. Roopesh G. Mulve, PIO appeared and filed reply on 12/07/2022. Shri. Siddesh S. Kerkar, FAA was represented by Shri. Akash Naik, under authority letter, filed reply on 22/06/2022. Appellant remained present for the proceeding on 22/06/2022 and pressed for the complete information.
3. Appellant submitted that, he had sought information on 2 points, PIO did not reply within the statutory period. Further, FAA directed the PIO to furnish the complete information, yet PIO vide letter dated 03/03/2022 provided part information. That, the PIO has neither

furnished complete information nor confirmed whether such information is available in the records or not.

4. Shri. Roopesh G. Mulve, the present PIO stated that, after joining as Secretary/ PIO of Village Panchayat Naqueri-Betul on 15/06/2022, he came to know the fact of case that previous Secretary/ PIO has provided only part information. That, he provided the remaining information to the appellant vide letter dated 06/07/2022, dispatched by Registered A.D. Post on 07/07/2022.
5. FAA stated that, upon receiving appeal under Section 19 (1) of the Act, he conducted hearing and passed the order on 28/02/2022 with the directions to the PIO to furnish the information within 07 days. Hence, the FAA has acted within the mandated period, upholding the spirit and provisions of the Act.
6. Upon perusal of the submissions and records of the matter, it is seen that the PIO did not furnish the information within stipulated period. Later, FAA directed the PIO to furnish complete information, yet PIO vide letter dated 03/03/2022 furnished only part information. Shri. Roopesh Mulve, who joined as Secretary/PIO of Village Panchayat Naqueri-Betul on 15/06/2022 got uprised of the present matter and vide letter dated 06/07/2022 furnished the remaining information to the appellant.
7. The PIO has produced before the Commission the copy of said letter alongwith the supportive documents to show that the letter and information has been furnished to the appellant by Registered A.D. Post on 07/07/2022.
8. In the background of the facts as mentioned above, the Commission concludes that the information sought by the appellant has been furnished by the PIO. Hence, the appeal is disposed with the following order:-

Since the information sought vide application dated 14/12/2021 has been furnished to the appellant, the prayer for information becomes infructuous and no more intervention of the Commission is required in the present matter.

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