

GOA STATE INFORMATION COMMISSION

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

Tel: 0832 2437208, 2437908 E-mail: spio-gsic.goa@nic.in Website: www.gsic.goa.gov.in

Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 22/2022/SIC

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

..... Appellant

V/s

1. The State 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: 28/04/2022

Relevant dates emerging from appeal:

RTI application filed on	: 26/10/2021
PIO replied on	: Nil
First appeal filed on	: 13/12/2021
FAA 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, Shri. Sanjeev Signapurkar, PIO appeared in person on 21/03/2022 and filed a reply. PIO stated that he is ready to allow the applicant to inspect the records sought by him and shall furnish the information identified during the inspection, free of cost.

3. During the hearing on 12/04/2022, appellant appeared and stated that the PIO has provided him the inspection of records, however has not furnished the documents identified by him. Appellant requested the Commission to issue direction to the PIO to furnish the information identified by him.
4. Upon the perusal of the records, it is seen that the PIO initially did not respond to the appellant within the stipulated period of 30 days. However, he undertook before the Commission to provide for the inspection, which he did, yet has not furnished the information identified by the appellant. The information sought by the appellant is in public domain and has been identified by him during the inspection. Hence PIO is required to furnish the same to the appellant.
5. PIO is reminded of his duty to entertain any request received under section 6(1) of the Act and furnish the information within 30 days. Similarly, the FAA is required to hear and decide the appeal filed under section 19(1) of the Act within the mandatory period provided.
6. In the background of the facts mentioned above, the Commission concludes that the PIO is required to furnish the information sought and identified by the appellant. Hence, the appeal is disposed with following order:-
 - (a) PIO is directed to furnish the information sought by the appellant vide application dated 26/10/2021, within 20 days from the receipt of this order, free of cost.
 - (b) PIO is directed to entertain applications received under section 6(1) of the Act, strictly as per the provisions of the law.
 - (c) FAA is directed to hear and decide appeals received under section 19(1) of the Act, as provided by law.

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