

GOA STATE INFORMATION COMMISSION

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 288/2021/SIC

Shri. Santana Piedade Afonso,
H. No. 263, Comba-Central,
Cuncolim, Salcete-Goa 403703

....Appellant

V/s

1. Shri. Arjun Velip,
The Public Information Officer(PIO)/
Secretary,
Office of the Village Panchayat of Cana-
Benaulim, Benaulim, Salcete-Goa,
403715

2. Shri. Amitesh Shirvoikar,
First Appellate Authority (FAA),
Office of the Block Development Office
(Salcete Block),
2nd floor, Mathany Saldhana
Administrative Complex,
Margao-Goa

.....Respondents

Filed on : 25/11/2021

Decided on : 11/03/2022

Relevant dates emerging from appeal:

RTI application filed on	: 24/06/2021
PIO replied on	: Nil
First appeal filed on	: 06/09/2021
FAA order passed on	: 28/09/2021
Second appeal received on	: 25/11/2021

ORDER

1. The brief facts of this appeal are that the appellant vide application dated 24/06/2021 filed under section 6(1) of the Right to Information Act, 2005 (for short, the Act) sought certain information from respondent No. 1 Public Information Officer (PIO). PIO failed to furnish the information, hence appellant filed appeal dated 06/09/2021 before respondent No. 2 First Appellate Authority (FAA). The FAA vide order

dated 28/09/2021 directed PIO to furnish the information. However no information was furnished. Being aggrieved, the appellant preferred second appeal before the Commission praying for information, penal action against the PIO and award of compensation to the appellant.

2. The concerned parties were notified. Pursuant to the notice, appellant appeared in person, respondent Shri. Arjun Velip appeared and filed reply with enclosures, and undertook to file additional reply on the next date of hearing. Accordingly PIO filed additional reply on 22/02/2022. Shri. Pradeep Tamhankar appeared on behalf of FAA, under letter of authority and filed submission dated 22/02/2022.
3. PIO stated before the Commission that he had furnished part information during the proceeding on 17/01/2022 to the appellant and remaining information has been furnished vide letter dated 17/02/2022. PIO, vide reply dated 22/02/2022 prayed for disposal of the appeal stating he has furnished complete information to the appellant.
4. During the hearing on 22/02/2022, appellant endorsed the statement of PIO and requested the Commission to dispose the appeal as he has received the information. Appellant endorsed the same with his signature on the appeal memo, requesting for disposal of the matter.
5. It is seen that though PIO did not furnish the information initially within the stipulated period and even after the directions from the FAA, now, during the proceeding of second appeal appeared personally and furnished the information. It is also noted that the appellant, after receipt of the information stated that he has no grievance against the PIO. Hence the appeal needs to be disposed accordingly.
6. In the light of above discussion, the appeal is disposed with the following order:-
 - a) As the information sought by the appellant vide application dated 24/06/2021 has been furnished by the PIO, the prayer for information becomes infructuous and no more intervention of the Commission is required in the matter.

b) PIO is directed to deal with the RTI applications more diligently, as provided in the Act.

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