

# GOA STATE INFORMATION COMMISSION

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

**Appeal No. 298/2021/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: 14/12/2021**

**Decided on: 12/05/2022**

**Relevant dates emerging from appeal:**

RTI application filed on	: 30/08/2021
PIO replied on	: Nil
First appeal filed on	: 04/10/2021
FAA order passed on	: Nil
Second appeal received on	: 14/12/2021

## **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 and pressed for the information. Shri. Sanjeev Signapurkar, PIO appeared in person and undertook to file reply and furnish the information. However later, he neither appeared, nor filed any reply.

3. During the hearing on 28/04/2022, appellant appeared and requested for disposal of the appeal with directions to the PIO to provide for inspection of the concerned records and issue copy of the documents identified by him.

4. Upon perusal of the record of this case, it is seen that appellant vide application dated 30/08/2021 sought inspection of a specific file and copy of the documents pertaining to the said file. PIO did not provide the inspection and subsequently no information was furnished. The information sought by the appellant is in public domain and the PIO has not sought for exemption from disclosure of the said information.

5. Section 2(j) of the Act defines right to information as under:-

2. Definitions:- in this Act, unless the context otherwise requires,-

(j) “right to information” means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to—

(i) inspection of work, documents, records;

(ii) taking notes extracts or certified copies of documents or records;

(iii) taking certified samples of material;

(iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;

6. As per the above mentioned definition PIO is required to provide for the inspection and copy of the documents identified by the appellant. 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 of 45 days, as provided under section 19(6).

7. In the light of above discussion, the appeal is disposed with the following order:-

a) PIO is directed to provide for inspection and furnish the information sought by the appellant vide application dated 30/08/2021, within 30 days from the receipt of the 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 the 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