

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No. 107/2023/SCIC

Mr. Brutano Peixoto,
R/o. H.No. 56/2, Cavorim,
Covatem, Chandor, Salcete,
Goa 403714.

.....Appellant

V/S

1. The Public Information Officer (PIO),
Office of Superintendent,
Administration Branch,
Police Head Quarters,
Panaji-Goa 403001.

2. The First Appellate Authority,
Superintendent of Police,
Head Quarters, Panaji-Goa.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 24/03/2023

Decided on: 14/08/2023

ORDER

1. The Appellant, Mr. Brutano Peixoto, r/o. H.No. 56/2, Cavorim, Covatem, Chandor, Salcete-Goa vide his application dated 22/10/2022 filed under Section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from the Public Information Officer (PIO), Office of Superintendent, the Director General of Police, Police Head Quarters, Panaji-Goa.
2. The said application was responded by the PIO on 29/11/2022, in the following manner:-

"Please refer to your application dated 22.10.2022 on the subject cited above. The same was received in this office on 31.10.2022.

The information pertaining to this Office and available on records of this Office is as under (01 page):-

<i>Pt.No.</i>	<i>Question</i>	<i>Reply</i>
<i>1.</i>	<i>As per your application point no. 1</i>	<i>Certified Copy of the letter dated 11.10.2022 of Under Secretary (Home), Dept. of Home (General), Secretariat, Porvorim, Goa is enclosed as Annexure –A (01 page).</i>
<i>2.</i>	<i>As per your application point no. 2</i>	<i>Information is not available on records of this office.</i>

3. Not satisfied with the reply of the PIO, the Appellant filed first appeal before the Superintendent of Police, Head Quarters at Panaji-Goa on 06/01/2023 being the First Appellate Authority (FAA).
4. The FAA vide its order allowed the first appeal on 16/02/2023 and directed the PIO to search for the file thoroughly and furnish the information to the Appellant within 15 days.
5. Since the PIO failed and neglected to comply with the order of the FAA dated 16/02/2023, the Appellant filed this second appeal before the Commission under Section 19(3) of the Act.
6. Notices were issued to the parties, pursuant to which the Appellant appeared in person on 03/05/2023, the PIO, Sunil Naik appeared and filed his written submission on 03/05/2023. Representative of the FAA, Mukund Lamgaonkar appeared, however, opted not to file any reply in the matter.
7. In the course of hearing on 19/06/2023, the PIO, Shri. Sunil Naik appeared and submitted that he dispatched the information at point No. 2 to the Appellant by Registered Post A/D and complied with the order of the FAA. Therefore, the Commission directed the PIO to place on record the copy of the Registered A/D Card and the covering letter on next date of hearing and the matter was posted for compliance on 13/07/2023.

8. During the course of hearing on 13/07/2023, none of the parties appeared for hearing, however received one letter from the entry registry dated 06/07/2023 from the PIO alongwith the copy of Registered A/D card.
9. In the instant case, the RTI application dated 22/10/2022 was responded by the PIO on 29/11/2022. ie. within reasonable time. The PIO also furnished the information at point No. 2 on 01/03/2023 during the proceeding of this second appeal.
10. The record indicates that, after receiving the reply and the information from the PIO, the Appellant did not remain present and participated in further hearings viz. 19/06/2023, 13/07/2023 and 14/08/2023 inspite of opportunities. I, therefore presume and hold that, the Appellant is satisfied with the information provided by the PIO.
11. Considering that the available information has been provided to the Appellant by the PIO, I hold that nothing survives in the appeal. Hence the matter is disposed off.

- Proceedings closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner