

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. 162/2022/SIC

Mr. Kamlakant Chaturvedi,
H.No. 179/17, Alto, Bella Vista,
Sangolda, Bardez-Goa 403511.

-----Appellant

v/s

The Public Information Officer,
Administrator of Comunidades of North Zone,
Mapusa-Goa 403507

-----Respondent

Relevant dates emerging from appeal:

RTI application filed on	: 23/12/2021
PIO replied on	: 19/01/2022
First appeal filed on	: 01/02/2022
First Appellate Authority order passed on	: 29/03/2022
Second appeal received on	: 14/06/2022
Decided on	: 16/01/2023

ORDER

1. Being aggrieved by non furnishing of information inspite of the direction from the First Appellate Authority (FAA), Additional Collector-III, Bardez Goa, appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') filed second appeal against Respondent Public Information Officer (PIO), before the Commission.
2. The brief facts of this appeal as contended by the appellant are that he had requested for certain information from PIO. Appellant received a reply from PIO, however, complete information was not furnished, hence he filed appeal before the FAA. The said appeal was disposed with a direction to the PIO to furnish the available information within 10 days and if information on any points pertains to any other authority, then the application be transferred to the appropriate authority for furnishing information on the relevant points. It is the contention of the appellant that PIO did not comply with the order and being aggrieved, he has appeared before the Commission.
3. Notice was issued pursuant to which, appellant appeared in person pressing for information. Advocate Sanjiv S. Sawant appeared on behalf of the PIO and undertook to furnish the remaining information

as directed by the FAA. Later on 07/12/2022 Advocate Sanjiv S. Sawant filed reply on behalf of the PIO.

4. PIO stated that, he had furnished the available information within the stipulated period. However, entire information could not be furnished since the requested information on 56 points was bulky and belonged to different offices, as the PIO was transferred from one office to another, and the information sought pertained to his personal service record.

PIO further stated that, as per the direction of the Commission the information was sent to the appellant vide letter dated 22/10/2022 by Registered A.D. Post, however, the same was returned from the post office with a remark –address cannot be located. That, PIO once again sent the information by Registered A.D. Post on 22/11/2022 and the same was served to the appellant on 24/11/2022. Hence, PIO has furnished the available information as directed by the FAA and the Commission, and the PIO requests for disposal of the matter.

5. Upon perusal, it is seen that the PIO initially furnished part information, which was available in his office. Later, during the proceeding of the second appeal he took efforts to collect and furnish the remaining information available in the records of the authority. On the other hand, appellant though appeared in person initially, later stopped attending the proceeding, did not file any submission, and showed no interest in collecting the information.
6. On this background, the Commission directed PIO to send the information to the appellant by Registered A.D. Post. The said direction has been complied by Advocate Sanjiv S. Sawant, representative of PIO and stated before the Commission that the appellant has received the same.
7. On the basis of the facts mentioned herein above, the Commission finds that the PIO had furnished part information within the stipulated period and later furnished remaining information, available in his office, as per the direction of the Commission. Since the available information has been furnished by the PIO nothing survives in the present matter and the same is required to be disposed accordingly.
8. Thus, the present appeal is disposed accordingly and the 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