

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. 322/2022/SIC

Girdharlal M. Gangani,
Galaxy Building, Dr. A. B. Road,
Opp. Hotel Nova Goa
Panaji-Goa 403001.

-----Appellant

v/s

1. The Public Information Officer,
Office of the Corporation city of Panaji,
Panaji-Goa 403001.

2. The First Appellate Authority,
Office of the Corporation city of Panaji,
Panaji-Goa 403001.

-----Respondents

Relevant dates emerging from appeal:

RTI application filed on	: 29/07/2022
PIO replied on	: 13/09/2022
First appeal filed on	: 12/09/2022
First Appellate Authority order passed on	: 06/10/2022
Second appeal received on	: 07/12/2022
Decided on	: 24/04/2023

ORDER

1. Being aggrieved by non furnishing of the information within the stipulated period, appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') filed second appeal against Respondent No. 1, Public Information Officer (PIO) and Respondent No. 2, First Appellate Authority (FAA), which came before the Commission on 07/12/2022.
2. The concerned parties were notified and the matter was taken on board for hearing Shri. Siddhesh Naik, PIO appeared in person, whereas the FAA was represented by Shri. Dinesh Maralkar under authority. During the hearing on 02/03/2023 appellant appeared in person and stated that though the PIO has furnished the information, the same is not correct information.
3. Shri. Siddhesh Naik, PIO who was present in person on 21/03/2023 undertook to furnish correct and complete information to the appellant before the next date of hearing. Opportunity was granted to the PIO to furnish the information as undertaken.
4. Further, appellant vide submission dated 28/03/2023 filed before the Commission on the same day stated that, he has received correct

and complete information from the PIO and that he request the Commission to pass an appropriate order to dispose the present appeal matter.

5. The Commission, after perusal of the records finds that the information sought by the appellant has been furnished by the PIO and the appellant has expressed satisfaction upon receiving the information and has requested for disposal of the matter.
6. Thus, the Commission concludes that, since the information sought by the appellant vide application dated 29/07/2022 has been furnished by the PIO, no more intervention of the Commission is required in the present matter and the appeal needs to be disposed accordingly.
7. However, before closing, the Commission notes that the information, which was furnished during the present proceeding, could have been furnished by the PIO within the stipulated period of 30 days. Section 7 (1) of the Act requires PIO to furnish the information or to respond to the application as expeditiously as possible, and in any case within thirty days of the receipt of the request. PIO issued reply after about 45 days, after the first appeal was filed by the appellant. Although the Commission takes lenient view in the present matter, the PIO is warned hereafter to respond to the applications received under Section 6 (1) of the Act, strictly as provided by the law and any violations by the said PIO will be viewed strictly as per the provisions of the Act.
8. In the light of above discussion, 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

