

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. 50/2023/SIC

Shri. Anish S. Bacal,
2BS3, Models Millenium Vistas,
Caranzalem, Goa 403002.

-----Appellant

v/s

1. The Public Information Officer,
Dy. Director (HIB Section),
Health Intelligence Bureau,
Directorate of Health Services,
Panaji-Goa.

2. The Public Information Officer,
The Director (Admin)/PIO,
Directorate of Health Services,
Panaji-Goa.

3. The First Appellate Authority,
Directorate of Health Services,
Panaji-Goa.

-----Respondents

Relevant dates emerging from appeal:

RTI application filed on	: 19/09/2022
PIO replied on	: 27/09/2022, 18/10/2022
First appeal filed on	: 03/11/2022
First Appellate Authority order passed on	: 30/11/2022
Second appeal received on	: 27/01/2023
Decided on	: 24/04/2023

ORDER

1. The second appeal filed by the appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') against Respondent No. 1, Public Information Officer (PIO), Deputy Director (HIB Section), Directorate of Health Services, Respondent No. 2, Public Information Officer (PIO), The Director (Admin), Directorate of Health Services and Respondent No. 3, First Appellate Authority (FAA), Directorate of Health Services, which came before the Commission on 27/01/2023.
2. The brief facts of the appeal, as contended by the appellant are that, pursuant to his application seeking information on 46 points, he received 2 replies from the PIO. Being aggrieved by the reply dated 18/10/2022 appellant filed appeal before the FAA. It is the contention of the appellant that no point-wise information was furnished by the PIO within the stipulated period and the FAA did not hear him before

passing the order on the first appeal, hence he has appeared before the Commission by way of second appeal.

3. The concerned parties were notified and the matter was taken up on board for hearing. Appellant appeared in person requesting for the information. Advocate Atish P. Mandrekar appeared on behalf of Respondent No. 1, PIO, whereas, Smt. Preciosa Josefa das Merces Joao, Head Clerk appeared on behalf of FAA under authority letter.
4. Upon perusal, it is seen that the information sought by the appellant was on 46 points, being the requested information bulky and voluminous, Respondent No. 1, PIO upon the advice of Respondent No. 2, PIO vide reply dated 27/09/2022 had requested for more time to furnish the information. Later, vide reply dated 18/10/2022 Respondent No. 1, PIO requested appellant to pay Rs. 18,000/- and collect the information. On the other hand, appellant was aggrieved by the reply dated 18/10/2022 and was seeking inspection of the records before making any payment.
5. This being the case, the Commission, during the proceeding on 08/03/2023 directed Respondent No. 1, PIO to provide for inspection of the records and allow the appellant to identify the information requested vide application dated 19/09/2022. Advocate Atish P. Mandrekar on behalf of the PIO undertook to provide for such inspection. Similarly, appellant agreed to visit PIO's office on 13/03/2023 for inspection and to identify the information.
6. During the hearing on 30/03/2023, Advocate Atish P. Mandrekar stated that the PIO had provided the inspection and the appellant during the inspection identified the desired documents and the same will be furnished by the PIO. Appellant stated that, he shall pay the requisite amount towards the charges and collect the information from the PIO. Similarly, appellant requested for disposal of the matter stating that he is satisfied with the undertaking of the PIO.
7. On this background, the Commission finds that the appellant has identified the desired information during the inspection and has agreed for paying the requisite charges and requested the Commission to dispose the matter. Similarly, PIO has agreed to furnish the information sought and identified by the appellant.
8. Thus, the PIO has agreed to furnish the information after receipt of the requisite charges and the appellant has volunteered to pay the charges and collect the information. With this, the Commission

concludes that no more intervention of this authority is required in the instant matter.

9. Hence, 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