GOA STATE INFORMATION COMMISSION
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Appeal No. 295/2022/SCIC

Prakash Deena Naik,
Panelim, Sao Pedro,
Old Goa, 403402 ……Appellant

V/s

1. The Public Information Officer (PIO),
   Office of the Mamlatdar of Tiswadi,
   Panaji-Goa, 403001
2. The First Appellate Authority(FAA),
   Office of the Mamlatdar of Tiswadi,
   Panaji- Goa, 403001 ……Respondents

Shri. Vishwas Satarkar, State Chief Information Commissioner

Filed on: 28/11/2022
Decided on: 31/01/2024

ORDER

1. The Appellant, Shri. Prakash Deena Naik, r/o Panelim, Sao Pedro, Old Goa, Tiswadi Goa, vide his application dated 16/03/2022, 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 the Mamlatdar of Tiswadi Taluka, Panaji-Goa

2. Since said application was not responded by the PIO within the stipulated period of 30 days, therefore, deeming the same as refusal, Appellant filed first appeal before the Mamlatdar of

Tiswadi on 30/05/2022, being the First Appellate Authority (FAA).

3. The FAA, vide its order, disposed off the first appeal on 18/05/2022.

4. Being aggrieved and dissatisfied with the order of the FAA dated 18/05/2022, the appellant landed before the Commission under Section 19(3) of the Act, with the prayer to impose Penalty on the PIO for causing delay in furnishing the information.

5. Notices were issued to the parites, pursuant to which, the Appellant appeared alongwith Adv. Dharamdas Pusekar on 13/01/2023, the PIO Ms. Anusha Gaonkar appeared and filed her reply dated 13/01/2023.

6. The PIO, Ms. Anusha Gaonkar through her reply dated 13/01/2023 submitted that, she had taken charge as the designated PIO only on 07/06/2022 and upon the receipt of notice of the first appeal, she appeared and filed her reply before the FAA stating the fact that she directed the Circle Inspector of the Mamlatdar Office, to furnish the information.

7. The PIO further submitted that upon collecting the information from the Circle Inspector, she provided said information to the Appellant on 07/07/2022 in the first appeal Proceeding. In support of her case, she produced on record a copy of letter dated 16/09/2022, with the endorsement of Adv. D. Pusekar.

8. Having gone through the entire material on record, it emerge that, Appellant is satisfied with the information provided by the PIO. However, the bone of contention put forth by the Appellant is limited to the aspect of imposing penalty against the then PIO.

9. The then PIO, Shri. Sanjeev Signapurkar appeared and placed on record his reply on 16/03/2023. The Appellant collected the reply of then PIO on 16/03/2023 and sought time to file his rejoinder in the matter.

10. The then PIO, Shri. Sanjeev Signapurkar, through his reply dated 16/03/2023, contended that as he was appointed as Assistant Electoral Registration Officer (AERO) of Tiswadi Taluka for the General Election to the Village Panchayat, 2022 by the Goa State Election Commission and being so, he could not reply the RTI application at that point in time. However, according to him, the purported information has been furnished to the Appellant by incumbent PIO. He further submitted that, the delay caused in furnishing the reply was only due to his sudden posting of duty in the Office of State Election Commission, Panaji and there is no intentional or deliberate denial of information. In support of his claim, he produced on record a copy of order of the Goa State Election Commission, Altinho Panaji-Goa dated 17/11/2021; Circular of Goa State Election Commission dated 16/02/2022, the memorandum dated 04/05/2022.

11. The Appellant collected the reply of the then PIO on 16/03/2023. However, neither he filed his rejoinder nor

controverted the plea of the then PIO. Moreover, he failed to appear for the subsequent hearings on 20/12/2023 and 31/01/2024.

12. In so far the delay is concerned, same is reasonably explained by the then PIO, Shri. Sanjeev Signapurkar. The Commission is satisfied with the explanation of the then PIO. I, therefore, find no substance in the challenge raised by the Appellant. In the result, the appeal is dismissed.

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

Sd/-
(Vishwas R. Satarkar)
State Chief Information Commissioner