

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 94/SIC/2010

Shri Kashinath Shetye,
R/o Bambino Bldg,
Alto Fondvem,
Raibandar.

... Complainant

V/s

1) Public Information Officer,
Department of Fisheries,
Panaji-Goa.

... Opponent No.1.

2) First Appellate Authority,
Department of Fisheries,
Panaji-Goa.

... Opponent No.2.

Ms. S. Satardekar, representative of the Complainant.
Shri K. L. Bhagat for the Opponent No.1.

Dated: 13/07/2010.

ORDER

The Complainant sought information on 09/06/2009 from the Public Information Officer, Executive Engineer (Proc) Electricity Department under Right to Information Act from Public Information Officer pertaining to the increase in load and enumerated at Sr. No. 1 to 13.

By Communication dated 03/07/2009, the Opponent No. 1 informed the Complainant that the information is ready and to collect the same on payment of Rs. 6/-. The Complainant on 24/04/2009 preferred the First Appeal and by order dated 18/08/2009 the First Appellate Authority with observation that the appeal has not been verified, dismissed the same as non-maintainable. Aggrieved by this decision of the First Appellate Authority the Complainant moved present Complaint instead of filing the second Appeal.

...2/-

In fact, it is not mandatory that the Memo of First Appeal should be verified and it was not proper for the First Appellate Authority to dismiss the First Appeal for lack of verification. No purpose is served in remanding the case of the First Appellate Authority as the information, which was sought by the Complainant on 9/06/2009, the Opponent by letter dated 3/07/2009 called upon the Complainant to collect the information on payment of Rs. 6/-, which the Complainant did not comply. In such circumstances the proper course would be to the Complainant to give effect to the letter dated 03/07/2009 of the Opponent and collect the information on payment of Rs. 6/-.

With these observation the complaint is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner

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