

GOA STATE INFORMATION COMMISSION
AT PANAJI

CORAM: Shri M. S. Keny, State Chief Information Commissioner

Appeal No.56/SCIC/2011

Mr. Manohar R. Naik,
Barros wada, Sangolda,
Bardez-Goa

... Appellant.

V/s

1) The Public Information Officer,
Sr. Geologist,
Mines & Geology Dept.,
Panaji-Goa .

... Respondent No.1

2) The First Appellate Authority,
Directorate of Mines & Geology Dept.,
Panaji-Goa

... Respondent No.2

Appellant in Person
Respondent No.1 & 2 absent

JUDGEMENT
(15-07-2011)

1. The Appellant, Shri Manohar R. Naik, has filed the present appeal praying that P.I.O./Respondent No.1 be directed to provide information sought and that penalty be imposed on the Respondent No.1.

2. It is the case of the Appellant that the Appellant requested information under Right to Information Act, 2005 (R.T.I. Act for short) from the Public Information Officer, (P.I.O.)/Respondent No.1, vide letter dated 26/04/2010. That the P.I.O. failed to furnish the information. Hence he preferred the appeal before the First Appellate Authority, however, First Appellate Authority/Respondent No.2 failed to dispose the First Appeal.

Being aggrieved the Appellant has preferred the present appeal.

3. The Respondent were duly served however on 07/06/2011, the Respondent particularly Respondent No.1 did not appear. Fresh notice was issued, however, on 07/07/2011, the Respondent did not remain present.

4. Heard the Appellant and perused the records. It is seen that by application dated 07/06/2010, the Appellant sought certain information from the Respondent No.1. The Respondent No.1 vide reply dated 23/06/2010, informed the Appellant that the documents sought by him is not available as the relevant file is not traceable. Therefore the appellant preferred the appeal before F.A.A./Respondent No.2. The Respondent no.2 by order dated 24/12/2010 observed as under:-

“On hearing both the parties and after going through the facts of the case. I uphold the contention of the Appellant and hereby direct the Public Information Officer/Senior Technical Assistant of this office to provide him information documents called for within seven days from the receipt of this order”

This order has not been challenged and hence stand.

The Respondent no.1 has to comply the same.

5. As per records the information is not traceable. However the copy of the inspection report is already furnished earlier.

In any case the Respondent No.1 to trace the records and furnished the information. In case it is required inspection can be given to the Appellant on a mutually agreed date.

6. In view of all the above, the Respondent no. 1 to comply the order of the F.A.A./Respondent No.2. Hence I pass the following order.

ORDER

The Appeal is allowed and the Respondent No. 1 is hereby directed to furnish the information sought by the complainant vide his application dated 07/06/2010, within 20 days from the date of receipt of this order. Inspection if any, be given to the Appellant on a mutually agreed date.

The appeal is accordingly disposed off.

Pronounced in the Commission on this 15th day of July, 2011.

Sd/-
(M.S. Keny)
State Chief Information Commissioner

