

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

**Appeal No.73/SCIC/2012**

Shri Joseph Fernandes,  
R/o.Vaddy, Cuncolim  
P.O. Salcete, Goa

... Appellant

V/s.

The Public Information Officer,  
Cuncolim Municipal Council,  
Cuncolim P.O.  
Salcete – Goa

... Respondent

Appellant present.  
Respondent present.

**J U D G M E N T**  
**(06/07/2012)**

1. The Appellant, Shri Joseph Fernandes, has filed the present appeal praying that the respondent be directed to furnish the information and that penalty be imposed on the respondent..

2. The brief facts leading to the present appeal are as under:-

That the appellant, vide application dated 14/11/2011, sought certain information under Right to Information Act, 2005 ('R.T.I. Act' for short) from the Public Information Officer(P.I.O.)/respondent. That the P.I.O. failed to provide the information within 30 days as per the R.T.I. Act. Hence the appellant preferred first appeal before the First Appellate Authority(F.A.A). By order dated 24/2/2012, the First Appellate Authority directed the P.I.O./Respondent to furnish all the information including information at point No.13 to the appellant within 7 days. That inspite of the order of the F.A.A., the

respondent has not furnished the information. Being aggrieved the appellant has preferred the present appeal.

3. In pursuance of the notice the P.I.O/respondent appeared. He did not file any reply as such. However he advanced arguments.

4. Heard both sides and perused the records. It is seen that by application dated 14/11/2011 the appellant sought certain information consisting of 13 points i.e. sr. No.1 to 13. It is seen from records that no reply was furnished and hence the appellant preferred appeal before F.A.A. It was submitted on behalf of respondent that information from point No.1 to 12 was ready and information at point No.13 was not given. By order dated 24/2/2012, the F.A.A directed the respondent to furnish all the information including information at point No.13 to the appellant within 7 days. It is seen that this order was not complied.

During the course of arguments, the respondent submits that all information except point No.13 and that they were ready and are willing to give the said information. According to the appellant, information at point No.13 is also to be given.

5. It is seen that the F.A.A. ordered to furnish the information of all the points including point No.13. This order has not been challenged and therefore the same stands. The respondent will have to comply with the same.

6. It is seen that there is delay in furnishing the information. Further according to the respondent information in respect of 12 points was ready. To my mind, he should have furnished the same. In any case the appellant submits that he will have no grievance of any sort, if information is furnished. The appellant also does not press for penalty.

7. In view of all the above, the respondent to comply with the order of the F.A.A. and furnish the information to all the points

within 15 days from the receipt of this order. Hence, I pass the following order :-

**ORDER**

The appeal is allowed. The respondent/P.I.O. is hereby directed to comply the order of the F.A.A dated 24/2/2012 and/or furnish the information to the appellant as sought by him vide application dated 14/11/2011 within 15 days from the date of receipt of this order.

The appeal is, accordingly, disposed off.

Pronounced in the Commission on this 6<sup>th</sup> day of July, 2012.

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