

**GOA STATE INFORMATION COMMISSION**  
**Ground Floor, Shrama Shakti Bhavan, Patto Plaza,**  
**CORAM: Smt. Leena Mehendale, State Chief Information Commissioner**

**Appeal No. 23/SIC/2013**

**Decided on 11.11.2013**

Mr. Marshal D' Mello,  
Attorney, Comunidade De Moira,  
Comunidade House, Moira Bardez-Goa.

V/s

1. PIO, Dy. Collector (LA),  
O/o. Collector of North Goa, Panaji-Goa.
2. PIO, Dy. Collector (Rev),  
O/o. Collector of North Goa, Panaji-Goa.
3. FAA, The Collector ,  
North Goa, Panaji-Goa.

.....Respondents

Appellant in person present

Respondent No. 2 present

Respondent no. 1 and 3 absent

**ORDER (Oral)**

This case has a little unusual background, as compared to normal cases under RTI Act 2005. It is seen from the record that on 10/02/2012, Mr. Marshal D'Mello who is the Appellant herein, filed an application under RTI to the APIO/PIO, Office of the Collector of North Goa, Panaji, Eventually he was required to file First Appeal too, which he claims to have done on 20/07/2012.

A mere letter addressed to FAA has been handed over to this office on 30/01/2013 which does not even confirm that his first appeal has actually been received in the office of First Appellate Authority. On the said date, the post of SCIC (State Chief Information Commissioner) as well as of SIC (State Information Commissioner) were both vacant, but the Registrar has treated this copy as Appeal and registered it as Appeal No. 23/SIC/2013. He issued notices to Shri Marshal D'Mello as well as to PIO (Public Information Officer) and FAA (First Appellate Authority) fixing hearing on 03/06/2013. The case appears on the notice board on all subsequent days when the post of SCIC and SIC were both vacant .

When the case came up for hearing before me on 11/11/2013, this entire anomaly was noted by me. In view of this, the matter numbered as Appeal No. 23/SIC/2013 is hereby dismissed as premature. The FAA namely Collector of North Goa may dispose the first appeal of Marshel D'Mello dated 20<sup>th</sup> July, 2012 as per the law, if already it has been received by him. Needless to say that appellant retains his right for 2<sup>nd</sup> appeal if he is not satisfied with the order of FAA (First Appellate Authority).

Matter in Appeal 23/SIC/2013 is dismissed in the above manner. The Order was pronounced in the Open Court. Inform all parties.

Sd/-  
(Leena Mehendale)  
Goa State Chief Information Commissioner,  
Panaji-Goa

