

GOA STATE INFORMATION COMMISSION

Ground Floor, Shrama Shakti Bhavan, Patto Plaza, Panaji – Goa.
CORAM: Smt. Leena Mehendale, State Chief Information Commissioner

Appeal: 15/SCIC/2011

Decided on: 23/12/2014

Shri .Nishant G. Sawant,
R/o.H.No.1188, Mahalaxmi,
Bandora, Ponda –Goa.
V/s

.....Appellant

1. Executive Engineer-XVI/ Public Information Officer,
P.W.D., Work Div XVI(B),
Ponda, Goa.
2. Superintendent Survey of Works/First Appellate Authority,
P.W.D.,
Altinho, Panaji-Goa.

.....Respondents

O R D E R (Open Court)

RTI application filed on	: 21/05/2010
PIO reply (After FAA Order)	: 10/11/2010
First Appeal filed on	: 21/09/2010
First Appellate Authority Order	: 26/10/2010
Second Appeal filed on	: 24/01/2011

1)The second appeal arise out of RTI application filed on 21/05/2011 made to the PIO/Executive Engineer, Div XVI (BC) ,P.W.D. Ponda Goa, regarding expenditure spent to Govt. High School Kulay in Sanguem Taluka.

2) He filed a First Appeal on 21/09/2010 which is decided by FAA under No.176/2010.

3) The FAA directed the PIO to furnish the information free of cost within 10 days from receipt of the order.

4) In the Second Appeal memo the appellant has simply mentioned that FAA has passed order on 26/10/2010 but thereafter the appellant does not mention any reason why the Second Appeal is filed. He has himself annexed at page 8 of the appeal memo a copy of letter dated 10/11/2010 given to him by PIO after the Order of FAA. It states,

“With reference to my letter No.PWD/Div.XVI(BC)/Accts/F.RTI/2010-11/1113 dt. 01/11/2010, I had called you in my Office on 09/11/2010 at 10.30 a.m. to collect information as per the Order of the 1st Appellate Authority in 1st Appeal

No.176/2010. However you came on the previous day i.e. on 08/11/2010 around 3.30.p.m. Since you had come I gave you the information pertaining to the above Appeal No.176/2010 (actually I had sent the information to you by Registered A/D letter no 29/07/2010, but you returned it unclaimed).

As per the order of the 1st Appellate Authority /SSW, I have given you the information within the given time limit of 10 days .This may please be noted.”

5) Thus , the action of the PIO seems to be proper however, the appellant has not given any ground as to why he returns the postal communication of PIO dated 29/07/2010, giving information. He has not given any other ground as to why the second appeal is sustainable. The PIO has filed a detailed reply on 27/06/2011 before the commission in answer to the second appeal memo. The appellant has not filed any rejoinder.

6) During the hearing before me the appellant was present, but has not elaborated. The PIO was represented by Advocate Astish Mandekar. The appellant stated that the decision may be taken on the basis of available record.

7) I have gone though all the records and I find that in view of the letter dt.10/11/2010 which has been properly received by the appellant and filed in the Second Appeal memo by himself, the appeal does not merits any consideration.

Hence appeal is dismissed as lacking merit. Order declared in Open Court .Inform parties.

Sd/-

(Leena Mehendale)

Goa State Chief Information Commissioner,
Goa State Information Commission
Panaji-Goa.