

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 53/SCIC/2008

Shri. Atmaram Dinanath Naik,
H. No. 54, Ast Kamarl,
Curchorem – Goa.

.....

Appellant.

V/s.

1. Public Information Officer,
The Chief Officer,
Curchorem Cacora Municipal Council,
Curchorem – Goa.
2. First Appellate Authority,
The Director,
Municipal Administration/Urban Development,
Panaji – Goa.

.....

Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 29/09/2008.

Appellant in person.

Both the Respondents absent.

ORDER

The facts of this case are that the Appellant filed the request for information on 12/03/2008 under the Right to Information Act, 2005 (RTI Act for short) in the office of the Respondent No. 1. Having received no reply within 30 days statutory time limit, he has approached the Respondent No. 2 by way of the first appeal. Mrs. Sneha Morajkar, Additional Director of Municipal Administration communicated to the Appellant on 21/05/2008 an order passed by the first Appellate Authority on 4/3/2008. The Appellant contends that this order relates to another appeal made by him on 28/01/2008 on his request dated 20/11/2007. In the present case, the first appeal memo was filed on – April, 2008 received in the office of the first Appellate Authority on 23/04/2008. Obviously the appellate order dated 4/03/2008 cannot be the order disposing off the appeal filed on 23/04/2008.

2. Notices were served on both the Respondents. The Respondent No.1 came once to seek time to file the reply and thereafter did not

...2/-

remain present before this Commission. The Respondent No. 2 authorized his UDC, by name, Shri. Rajendra Mardolkar who has come and watched the proceedings of this Commission. There is neither any statement nor any arguments from both the Respondents. The above narration shows very clearly the negligence of both the Respondents and the casual manner in which the request for information and the first appeals are dealt by the authorities under the RTI Act. This is definitely a fit case for initiating penalty proceedings under the RTI Act. Both the Respondents are required to show cause why penalty should not be imposed on them and why disciplinary action should not be recommended to the appointing authorities for negligence in performing their duties under the RTI Act.

3. The case is posted for showing cause by both the Respondents on 15th October, 2008.

Announced in the open court on this 29th day of September, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner