

GOA INFORMATION COMMISSION

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

Appeal No. 184/SIC/2008

Shri. Sagar Vishwanath Dharwadkar,
C-43, Dhake Park, Natwar Nagar,
Road No. 1, Jogeshwari (East),
Mumbai – 400 060.

... Appellant

V/s.

The Public Information Officer
Office of the Talathi,
Village Panchayat of Nerul,
Bardez Taluka – Goa.

... Respondent.

CORAM:

Shri G. G. Kambli
State Information Commissioner
(Per G. G. Kambli)

Dated: 27.11.2008

Appellant absent.

Respondent in person.

ORDER

The present appeal is directed against the Public Information Officer, office of the Talathi, Village Panchayat Nerul, Bardez Taluka, Goa. The Appellant had approached the Public Information Officer, Office of the Talathi, Village Panchayat Nerul, Bardez vide his application dated 24/06/2008 seeking certain information regarding certified copies of the records of the rights in respect of certain property. As the Appellant did not receive any response from the Respondent, he preferred an appeal before the First Appellate Authority i.e. Dy. Collector and S.D.O., Bardez. The First Appellate Authority also did not pass any order on his first appeal and therefore, the Appellant filed the present second appeal before this Commission against the Respondent.

2. Upon issuing the notice, the Respondent filed his reply stating that the Respondent is not the Public Information Officer and the appeal filed by the Appellant before the First Appellate Authority was also dismissed on the same ground. On inquiry with the Talathi of Village Panchayat Nerul, he clarified that he did not transfer the application to

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the Mamlatdar of Bardez as required by section 6(3) of the Right to Information Act, 2005 (for short the Act). Infact, since the Talathi of Nerul is not the Public Information Officer, he ought to have transferred the application of the Appellant to the concerned Public Information Officer i.e. Mamlatdar of Bardez.

3. Therefore, I partly allow the appeal and direct the Talathi of Village Panchayat Nerul, Bardez to transfer the application of the Appellant alongwith the application fees to the Mamlatdar of Bardez within 5 days from the date of this order under intimation to the Appellant.

Pronounced in the open court on this 27th day of November, 2008.

Sd/-
(G. G. Kambli)
State Information Commissioner

