

GOA STATE INFORMATION COMMISSION AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 169/2008

Shri Francis D'Souza,
Member Legislative Assembly,
Mapusa – Goa.

..... Appellant.

V/s.

1. The Public Information Officer,
Mr. N. B. Subhedar,
The Under Secretary (Legislature),
Goa Legislative Assembly Complex,
Porvorim, Bardez – Goa.
2. The First Appellate Authority,
Mr. P. Kothandaraman,
The Secretary,
Goa Legislative Assembly Complex,
Porvorim, Bardez – Goa.

..... Respondents.

Adv. D. Lawande for the Appellant.

Respondents absent.

ORDER

(Per Afonso Araujo)

The request sought by the Appellant on 2nd May, 2008 under the Right to Information Act, 2005 (for short the RTI Act) has been rejected by communication dated 30/05/2008 by the Respondent No. 1. In the order dated 4/7/2008, the First Appellate Authority – Respondent No. 2 made the following observation: -

“You are accordingly at liberty to send your request for information specifying the particulars of information, but not in vague chronological terms, to enable the PIO to process your new request.”

2. It may be pointed out here that this Commission by order dated 22/10/2008 and 01/12/2008 passed in Appeal No. 79/2008 has disposed similar case pertaining to the present appeal and remanded the case with the direction to the First Appellate Authority – Respondent No. 2 to dispose the same in accordance with the provisions of the RTI Act. Before this Commission, the Respondent No. 2 has stated that he adopts the

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same arguments made in relation to Second Appeal No. 79/2008 disposed by this Commission by order dated 22/10/2008. In such circumstances, it would be proper to remand the case back to the First Appellate Authority and decide the First Appeal in the light of order dated 22/10/2008 passed in Appeal No. 79/2008 by this Commission and in accordance with the RTI Act.

Pronounced in the open court on this 19th day of October, 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner

