

GOA STATE INFORMATION COMMISSION AT PANAJI

CORAM: Shri M. S. Keny, State Chief Information Commissioner

Appeal No. 71/SCIC/2009

Smt. Sanyogita Kashinath Shetye,
Through Power of Attorney
Kashinath J. Shetye,
R/o Bambino Building,
Alto Fondvem, Ribandar,
Tiswadi - Goa.

..... Appellant.

V/s.

1. Public Information Officer,
Assistant Director of Transport,
Margao – Goa.
2. First Appellate Authority,
Dy. Director of Transport,
Margao – Goa.

..... Respondents.

Shri Kashinath Shetye, Power of Attorney for Appellant.

Respondent No. 1 & 2 in person.

Shri Jeetendra R. Naik, Legal Assistant on behalf of Respondent No. 2.

ORDER **(18-01-2010)**

1. The Appellant, Smt. Sanyogita Shetye, through her Power of Attorney Shri Kashinath Shetye has filed this appeal praying that information be furnished to her free of cost; that penalty be imposed on the Public Information Officer; that disciplinary proceedings be initiated against First Appellate Authority and that compensation be given.

2. The main grievance of the Appellant in the present appeal is that being not satisfied with the Order of Public Information Officer the Appellant preferred the First Appeal, however, the Appellate Authority did not consider the Appeal as the Power of Attorney was not produced. That Appellant was not given a notice nor was told as to produce nor given chance to produce the Power of Attorney. Being aggrieved the Appellant has preferred the present Appeal.

...2/-

3. The Respondents resist the Appeal and their say is on record.
4. Heard both sides i.e. Shri K. Shetye and Shri A. Bhosale and perused the records.

It is seen that in para 3 of the reply of the Respondent No. 2 it is stated as under "..... the Appeal could not be considered by him pending submission of the Power of Attorney by the Appellant or her constituted Attorney as such Appeal is pending hearing and disposal."

According to Respondent the present Appeal is premature and the earlier Appeal is still pending.

The Appellant is ready to furnish the copy of the Power of Attorney and go before the First Appellate Authority.

Since the parties are willing I feel that the matter be dealt at First Appellate stage so that party does not lose any valuable right of Appeal.

5. In view of the above, the Appellant to appear before the First Appellate Authority. The First Appellate Authority to hear the appeal and dispose off the same within 15 days from the day of receipt of the Order. Needless to add that no opinion is expressed on merits of the case.

The Appeal is accordingly disposed off.

Panaji dated 18th day of January, 2010.

Sd/-
(M. S. Keny)
State Chief Information Commissioner

