

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 43/SIC/2010

Joao C. Pereira,
H. No. 40, Acsona, Utorda,
Majorda,
Salcete – Goa

... Appellant.

V/s.

1) The Public Information Officer,
Directorate of Vigilance,
Serra Building, Altinho,
Panaji – Goa

... Respondent No. 1.

2) The First Appellate Authority,
Directorate of Vigilance,
Secretariat,
Porvorim – Goa

... Respondent No. 2.

Appellant in person.

Respondent No. 1 in person.

J U D G M E N T

(Per Afonso Araujo)

The Appellant on 02.09.2008 filed a complaint before the Director of Vigilance against Joint Mamlatdar-II, Shri Parvin H. Parab, for manipulation, fraud, destroying of records, incompetence, for adopting corrupt practices in mutation case No. 3163 and 21964. Subsequently, by request dated 12.09.2008, 10.01.2009, 06.06.2009 and 05.11.2009 sought information under the Right to Information Act, 2005 (for short the 'RTI Act') and requires to know what action/steps have been taken on his complaint dated 02.09.2008 and if any enquiry/report/comments received from any office or from Shri Parvin H. Parab on his complaint, a certified copy of the same to be given to the Appellant.

2. When the request dated 02.09.2008 was made and there was no reply from the Respondent No. 1, the Appellant moved the First Appellate Authority and filed First Appeal on 17.10.2008 and the Respondent No. 1 by letter dated 23.10.2008 informed the Appellant that his complaint is being examined. In view of this reply of the Respondent No. 1, the First Appellate Authority observed that the Respondent No. 1 informed the Appellant of the status of the complaint and by Order dated 18.11.2008 dismissed the Appeal as infructuous.

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3. The repeated request dated 10.01.2009, 06.06.2009 and the last dated 05.11.2009 indicates that there has been no change on the status of the complaint and the Respondent No. 1 was still examining the status of the complaint. The Appellant when he sought the information on 12.09.2008, 10.10.2009 and 06.06.2009 confined to approach the First Appellate Authority and did not file the Second Appeal on the orders of the First Appellate Authority dated 18.11.2008, 06.03.2009 and 17.07.2009 respectively. It is only after the deemed refusal of the request dated 05.11.2009 that the Appellant approached this Commission in Second Appeal. The Respondent No. 1 submitted that as he was posted before the Public Authority, Directorate of Vigilance recently; he will provide the information regarding the status of the complaint dated 02.09.2008 to the Appellant and requires eight weeks to do the needful. The Appellant agrees. Hence, the Respondent No. 1 is directed to provide information in the request dated 05.11.2009 and inform the Appellant within the period of eight weeks what action/steps have been taken on his complaint dated 02.09.2008 against Joint Mamlatdar-II, Shri Parvin H. Parab.

With these observations, this Appeal is disposed off.

Pronounced on this 22nd day of March, 2010.

Sd/-
(Afonso Araujo)
State Information Commissioner