

**GOA INFORMATION COMMISSION**

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

**2<sup>nd</sup> Appeal No: 01 / 08-09 /**

Shri Appa Bablo Gaunkar,  
Hno: 117, Bazarvaddo,  
Molem, Sanguem - Goa.

..... Appellant

V/s

1. The First Appellate Authority,  
The Director,  
Directorate of Panchayats,  
Panaji - Goa.

..... Respondent No.1..

**CORAM:**

Shri A. Venkataratnam  
State Chief Information Commissioner  
&  
Shri G. G. Kambli  
State Information Commissioner

(Per G. G. Kambli)

Dated:. 09/07/2008.

Appellant absent.

Respondent represented by Shri K. B. Salgaonkar, Head Clerk.

**O R D E R**

By this order, we will dispose off the appeal filed by the Appellant against the Respondent under section 19 of the Right to Information Act 2005 (for short the Act).

2. The facts of the case in brief are that the Appellant vide his application dated 15/01/2008 sought certain information in respect of Shri Antonio Santana Baretto who was working in Village Panchayat of Sernabatim-Vanelim-Colva-Gandaulim and Calata-Majorda-Utorda. In the said application the Appellant also sought certain details of the calculations of pensionary benefit applicable to the post of the supervisor of the Village Panchayat of Molem.

3. The Respondent marked the said application to the Dy. Director of Panchayat (North) who is the Public Information Officer for the Office of Directorate of Panchayat. The Dy. Director of Panchayat (North) in turn forwarded the application to the Dy. Director of Panchayats(South) as the information sought by the Appellant was pertaining to the Village Panchayats. The Dy. Director of Panchayat (South) forwarded the application to the

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concerned Village Panchayat Secretary of the respective Village Panchayat under section 6 (3) of the Act as the Village Panchayat Secretary is the Public Information Officer. The Village Panchayat Secretary of Sernabatim-Vanelim-Colva-Gandaulim has provided the information to the Appellant. Similarly, the Village Panchayat Secretary of Majorda-Utorda –Calata also provided the information to the Appellant.

4. The Appellant having not satisfied with the information provided by these Village Panchayat Secretaries has directly filed the appeal before this Commission. The Respondent filed the reply. The Respondent raised the objection stating that the present appeal is not maintainable before this Commission, as the Appellant has not filed the 1<sup>st</sup> appeal before the Block Development Officer who is appointed as the First Appellate Authority under the Act.

5. A 2<sup>nd</sup> Appeal to this Commission lies under sub-section (3) of section 19 of the Act against the decision of the First Appellate Authority made under section 19 (1) of the Act. The Appellant has not preferred any appeal before the 1<sup>st</sup> Appellate Authority under section 19 (1) of the Act. The Appellant is not challenging the decision of the FAA before this Commission. It is also to be noted that the each Panchayat is an independent Authority and each Panchayat is having separate and independent Public Information Officer as can be seen from the order dated 15/03/2007 produced by the Respondent. Hence, the present appeal is not maintainable, as the Appellant is not challenging any decision of the First Appellate Authority. We therefore dismiss the Appeal as not maintainable.

Pronounced in the open Court on this 9<sup>th</sup> day of July 2008.

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

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

