

GOA INFORMATION COMMISSION

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

Appeal No: 103/2007-08.

Shri Amar B. Naik,  
Costi Kalay,  
Sanguem – Goa.

... Appellant

V/s

1. First Appellant Authority,  
The Director of Panchayat,  
Junta House,  
Panaji– Goa.

Respondent No. 1.

2) Public Information Officer,  
Dy. Director of Panchayat,  
South Goa District,  
Margao – Goa.

... Respondent No.2.

CORAM:

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

(Per G.G. Kambli)

Dated: 28/01/2008.

Appellant absent at the time of argument.

Respondent No. 1 has represented by Shri Nilesh Sawant, LDC.

Respondent No. 2 in person.

**O R D E R**

This is a 2<sup>nd</sup> appeal filed by the Appellant against the order dated 27/06/2007 of the Respondent No. 1. The appeal is presented on 27/11/2007. Thus, the appeal has been filed after 153 days from the date of passing of the order of the Respondent No. 1. The order was pronounced in the open court where the Appellant was present. The Appellant applied for certified copy of the order on the same date i.e. on 27/06/2007 and the certified copy was ready for delivery on 28/06/2007. However, the Appellant collected the certified copy on 24/08/2007. ...2/-

2. The Appellant in his memo of appeal has stated that he is filing the appeal against the order dated 24/08/2007, which is not correct position. Infact the order of the Respondent No. 1 is dated 27/6/2007. The Appellant did not collect the certified copy though it was kept ready for delivery on 28/06/2007. Being so, the time spent for obtaining the certified copy was only one day. By deducting 1 day, the appeal has been filed before this Commission after 152 days.

3. The time limit for filling the appeal before this Commission is 90 days as per the provision of sub-section (3) of section 19 of the Act and therefore, there is a delay of 62 days in filling the present appeal. The Appellant contended in the memo of appeal that there is only delay of 4 days, which according to the Appellant is in intentional as he has stated that he was sick. Even these 4 days delays have not been supported by any documentary evidence such as medical certificate or affidavit. The Appellant has not justified or shown sufficient cause for such long delay of 62 days and on this ground alone, the appeal is liable to be dismissed being time barred.

4. Accordingly, the appeal stands dismissed.

Pronounced in the open court on this day, of 28th January, 2008.

Sd/-  
G. G. Kambli  
State Information Commissioner

Sd/-  
A. Venkataratnam  
State Chief Information Commissioner