

GOA INFORMATION COMMISSION

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

Appeal No. 104/2007-08/Commu.

Shri. J. T. Shetye,
H. No. 35, Ward No. 11,
Khorlim, Mapusa - Goa.

..... Appellant.

V/s.

1. The Public Information Officer,
The Administrator,
Office of the Administrator of Comunidades,
North Goa District, Mapusa – Goa.
2. The first Appellate Authority,
The Additional Collector – (North),
Collectorate Building, Panaji – Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 18/02/2008.

Appellant in person.

Adv. K. H. Bhosale for Respondent No. 1. Respondent No. 2 absent.

ORDER

The Appellant has requested information on four points to the Public Information Officer namely, the Administrator of Comunidades of North Goa, Mapusa, Respondent No. 1 herein, on 2/8/2007. Having received no reply from him, he approached the Respondent No. 2, first Appellate Authority, on 19/09/2007. The first Appellate Authority has issued a notice dated 29/09/2007 in the matter and is said to have passed an order on 15/10/2007 which is not on record. However, it appears that the Appellant has no grievance against the first Appellate Authority. A second appeal can be filed under section 19(3) of the Right to Information Act, 2005 (for short the RTI Act) only against the decision of the first Appellate Authority.

2. Notices were issued to both the Respondents and the Respondent No. 1 has submitted his say on 30th January, 2008. In his reply, the Respondent No. 1 mentioned that the grievance of the Complainant is about the illegal

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acts of constructions and encroachments by certain persons and that if they are illegal, they will face the appropriate penalties as per law before appropriate authorities and it has nothing to do in the present case. He further requested this Commission to dismiss this appeal as the Appellant has admitted on 21/01/2008, that he received the required information. The Complainant in his reply dated 21/01/2008 has not admitted the receipt of complete and correct information. What he has stated is that the Respondent No. 1 has replied to him on 28/12/2007 which is not satisfactory and convincing. The reply dated 28/12/2007 by the Opponent No. 1 is also not before us. We are, therefore, not in a position to find out whether the reply is correct and complete. We, therefore, dismiss this appeal as having no substance. The case is dismissed.

Pronounced in the open court on this 18th day of February, 2008.

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

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