

GOA INFORMATION COMMISSION

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

Appeal No. 13/2007-08/Dy. Col.

Shri Sushant S. Naik
Costi - Kalay,
Sanguem - Goa.

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Appellant.

V/s.

1. Public Information Officer
Office of the Collector of South Goa,
Margao - Goa.
2. First Appellate Authority
Office of the Collector of South Goa,
Margao - Goa.

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Respondents.

CORAM:

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

(Per G. G. Kambli)

Under Section 19 (3) of the RTI Act, 2005 (Central Act 22 of 2005)

Dated: 04/07/2007.

Appellant in absent.

Respondents in person.

ORDER

The Appellant has filed this second appeal against the Respondents as the Appellant did not receive the decision of the Respondent No. 2 within the time limit specified under sub-section (6) of Section 19 of the Right to Information Act, 2005. The notices were issued to the Respondents and in pursuance thereof the Respondent No. 2 filed his reply. In his reply, the Respondent No. 2 has admitted that there has been delay in disposing the first appeal filed by the Appellant but the same is not deliberate and intentional. The Respondent No. 2 has submitted that the Respondents were busy with the election work and Respondent No. 2 was also transferred during the election period and he rejoined only on 11/6/2007. On rejoining, the Respondent No. 2 has passed an

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order on 13/6/2007 directing the Respondent No. 1 to provide the information to the Appellant. As per the said directions, Respondent No. 1 informed the Appellant vide letter dated 15/6/2007 to collect information.

2. The Appellant remained absent for both the hearings. The prayers of the Appellant for imposing the penalty on both the Respondents is not acceded to as we are satisfied that the delay on the part of the Respondents was not deliberate and malafide as the Respondents remained busy with the election work.

3. In these circumstances, since the information is already provided to the Appellant, nothing survives in this appeal and the same is disposed off accordingly.

4. Announced in the open court on this 4th day of July, 2007 at 11.00 a.m.

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

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