

GOA INFORMATION COMMISSION

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

Complaint No. 82/2007/CCP.

Shri. Ronnie Rodrigues,
H. No. 1774, Town Planning Colony,
Alto Betim, Porvorim, Bardez - Goa.

..... Complainant.

V/s.

Public Information Officer.
The Commissioner,
Corporation of the City of Panaji,
Patto, Panaji - Goa.

..... Opponent.

CORAM:

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

(Per A. Venkataratnam)

Dated: 08/05/2008.

Authorized representative Shri. Pinto present for the Complainant.

ORDER

This complaint is filed against the Opponent by the Complainant complaining that his request for information under Right to Information Act, 2005 (RTI Act for short) dated 28/01/2008 remained unanswered. On 7/3/2008, he filed this complaint without filing the first appeal before the Director of Municipal Administration. A Notice was issued to the Complainant and while hearing him, he mentioned that his first appeal was not accepted by the Director of Municipal Administration. He was, thereafter, given time upto 23rd April, 2008 to file an affidavit to that effect and the case was posted for further hearing on 23rd April, 2008. On the date fixed for hearing, the Complainant remained absent and no affidavit was filed by him

2. The Commission hears second appeals under section 19(3) against the decisions passed by the first Appellate Authority under section 19(1) or 19(2) of the RTI Act. Though the Commission has discretionary powers to entertain the complaint under section 18 of the RTI Act, it does so in the rarest of rare cases.

...2/-

The Commission is of the considered view that the citizens should exhaust the remedy of the first appeal. As this remedy was not availed of by the Complainant, the complaint is rejected.

Pronounced in the open court on this 8th day of May, 2008.

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

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