

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Appeal No. 101/2025/SCIC

Jose Maria Ribeiro,
H.No. K-30, Kegdevelim,
Reis Magos,
Bardez-Goa, 403114.
V/s

---Appellant

1.The First Appellate Authority,
Main Mamlatdar,
Office of the Mamlatdar,
Mapusa, Bardez-Goa.

2.The Public Information Officer,
Office of the Mamlatdar,
Mapusa, Bardez-Goa.

----Respondents

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal

RTI application filed on	- 20-12-2024
PIO replied on	- Nil
First Appeal filed on	- 24-01-2025
First Appellate order on	---
Second appeal received on	- 08-04-2025
First hearing held on	- 09-06-2025
Decision of the Second Appeal on	- 09-06-2025

Information sought and background of the Appeal

- Shri. Jose Maria Ribeiro filed an application dated 20/02/2024 under Section 6 (1) of the RTI Act, 2005 to the PIO, Office of Mamlatdar, Bardez seeking '*Certified Copies of the entire file along with proceeding sheets with respect to Mundkar Case No. MND/SR-16/86.*'
- Failing to receive any reply/information to the RTI application, Appellant filed first appeal dated 24/01/2025 before the First Appellate Authority (Mamlatdar, Bardez) stating that the Respondent PIO kept total silence on his RTI application when PIO is bound to furnish reply/information within the stipulated period of 30 days.

3. However, there is no material available before the Commission to confirm that the first appeal dated 24/01/2025 filed by the Appellant was decided and order was passed by the First Appellate Authority (Mamlatdar of Bardez) in the present matter. If the first appeal is not heard, decided and passed an order by the FAA, the conduct of the FAA will be viewed seriously by the Commission which include recommending disciplinary proceedings against the FAA u/s 20 (2) of the RTI Act, 2005.
4. Failing to receive information from the Respondent PIO within the stipulated time frame of 30 days and FAA's failure to decide first appeal in accordance with the Section 19(6) of the RTI Act, Appellant preferred Second appeal praying-
 - i. To direct the Respondent PIO to furnish information vide RTI application dated 20/04/2024.*
 - ii. Direct the Respondent FAA to pass necessary order in first appeal filed before FAA.*
 - iii. Impose Penalty u/s 20(1) of the RTI Act.*
 - iv. Compensate the Appellant with the cost incurred.*
 - v. Seek written explanation from the Respondents for showing disrespect to the RTI Act.*

Facts Emerging in Course of Hearing

5. Pursuant to the filing of Second appeal dated 08/04/2025 by the Appellant before the Commission, parties were notified fixing the matter for hearing on 09/06/2025.
6. When the matter called out for hearing today i.e. 09/06/2025, Respondent PIO (Shri. Ulo Mangueshkar) filed written reply to the appeal memo stating that:
 - i. On receipt of the Appellant's RTI application dated 20/12/2024, it was forwarded to all seven Courts under the Office of Mamlatdar, Bardez seeking to submit the information sought by the Appellant within 7 days enabling the PIO to furnish information to the Appellant within the stipulated time.

- ii. Court clerks of the Mamlatdar V and VI of Bardez only replied that the required information is not available. However, the Court of main Mamlatdar and Jt. Mamlatdar I, II, III and IV, Bardez did not respond.
- iii. Notice of hearing on Appellant's first appeal dated 24/01/2025 was served to the Appellant and PIO directing to attend the hearing before the FAA on 25/02/2025 but Appellant was not present and preferred Second appeal dated 08/04/2025 before the Hon'ble Commission.
- iv. Since the Court officers of main Mamlatdar and Joint Mamlatdar I, II, III and IV have not replied/furnished information to the RTI application forwarded to them by the PIO, these officers may please be called for the present proceedings as 'deemed PIO'.

DECISION

Since the FAA (main Mamlatdar, Bardez) has not decided and passed an order in the First Appeal filed by the Appellant, Commission hereby **REMAND BACK to the FAA** to decide the first appeal by issuing fresh notice to the Appellant and pass an order in first appeal within 15 days from the receipt of this order.

FAA (main Mamlatdar, Bardez) is directed to :

- i. **File an explanation to this Commission within 15 days on receipt of this order as to why the first appeal dated 24/01/2025 of the Appellant was not heard, decided and issued an order violating the provisions specified u/s 19(6) of the RTI Act, 2005.**
- ii. **Direct the concerned Court clerks/officers of the Court of main Mamlatdar and Joint Mamlatdars I, II, III and IV to reply/furnish information to the Respondent PIO in response to the RTI application dated 20/12/2024 forwarded to them by the Respondent PIO.**

Compliance report should reach the Commission by July 02, 2025.

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

Sd/-

(ARAVINDKUMAR H. NAIR)
State Chief Information Commissioner, GSIC

