

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

CORAM: Shri Juino De Souza State Information Commissioner.

Complaint No.59/SIC/2012

Mrs. Maria P. Fernandes e Rodrigues,
R/o Flat No.6, 1st floor,
Sunrise Apartment,
Mazilwaddo,
Benaulim,Salcete-Goa.

..... **Complainant**

v/s

1. Public Information Officer
Asst. Registrar of Co-operative Societies,
South Zone, 3rd floor,
Margao, Salcete-Goa.

2. APIO/Co-operative Officer,
O/o Asstt. Registrar of Co-op.
Societies, South Zone, Margao – Goa.


..... **Respondent**

Relevant emerging dates:

Date of Hearing : 12-04-2016

Date of Decision : 12-04-2016

ORDER



1. Brief facts of the case are that the Complainant had sought information vide her application dated 16/12/2011 as follows:- a) Provide each and every documents filed by the Chief Promoter/ Promoters/builder (as may be applicable for the purpose of Registration of said housing society) b) Provide each and every documents base on which the said society was classified as "HOUSING SOCIETY" under sub classification No 5-(b)-TENANT CO-PARTNERSHIP HOUSING SOCIETIES in terms of Rule 9 of the Co-operative societies Rules 1962 and c) Provide copy of said Rule 9 of the Co-operative Societies Rules 1962 consisting of sub classification No.5-(b)TENANT CO-PARTNERSHIP HOUSING SOCIETIES.


It is the case of the Complainant that nothing was heard from the Respondent /Opponent within 30 days and as such the Complainant and her sister Margarita visited the office of the Respondent / Opponent on 32nd day on 17/01/2012 to collect the information to RTI application dated 16/12/2011.

2. At this time the dealing hand informed the Complainant that she would have to pay Rs.450/- to collect the information. Being aggrieved the Complainant has filed a Complaint before this Commission on 22/03/2012 praying to direct Respondent / Opponent No.1 and 2 to provide information as per the RTI application dated 16/12/2011 free of charge in pursuance of her application dated 20/01/2012.
3. During the hearing the Complainant is absent despite advance notice sent by Registered Post (RPAD) without intimation to this Commission. The Respondent PIO represented by Pramod Naik, Jr Auditor O/o Asstt. Registrar of Co-operative Societies South Zone, Margao is present and files letter of authority which taken on record.
4. The Respondent /Opponent submits that PIO had vide latter dated 16/01/2012 informed the Complainant to come and collect the information after making payment of Rs. 430/- however the Complainant refused to take delivery of the information.
5. On scrutiny of the records in the file it is observed that a letter dated 20-01-12 written by the Complainant states in para 3 as follows :- In this connection I state that I have already collected by-laws from your office by paying amount of Rs.300/- or so in my earlier RTI application . So I do not require the Bye-Laws again in this RTI application. So I request you to provide me all other information of my RTI application dated 16-12-2011 excluding the bye-laws. Necessary charges will be paid by me.
6. Written submission is also filed by the PIO on 28/05/2012 denying the submission made by the Complainant in Complaint Memo while clearly stating that the Complainant was once again shown letter of the PIO dated 16/01/2012 and gracefully requested to collect the information on making payment of Rs.430/- with the accounts section of PIO's Office.

7. In view of the letter by the Complainant and the fact that a reply was sent by the Respondent PIO to the Complainant stating that information was kept ready the Commission finds that the Complaint is devoid of merit and comes to the conclusion that it is the Complainant who has neglected to pay charges applicable and collect the information. The Complaint accordingly stands dismissed. All proceedings in the Complaint case are closed.

Pronounced in open court before the parties who are present. Notify the parties concerned. Authenticated copies of the order be given free of cost.




Under Secretary
Goa State Information Commission
Panaji - Goa.

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(Juino De Souza)
State Information Commissioner