

GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

Appeal No. 152/2018/SIC-I

Shri Shrikant S. Vengurlekar,
H.No. 92, Deulwada,
Korgao, Pernem Goa.

.....Appellant.

V/s.

1. Public Information Officer,
Vikas High School,
Valpe Virnoda, Pernem Goa.

2. The First Appellate Authority,
Deputy Director of Education,
North Education Zone,
Mapusa Goa.

..... Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 21/06/2018

Decided on: 26/09/2018

ORDER

1. The brief facts leading to the present appeal are that the Appellant Shri Shrikant Vengurlekar herein by his application dated 7/4/2018, Filed u/s 6(1) of RTI Act, 2005 sought certain information from the Respondent no. 1 PIO of the Vikas High School, Virnoda, Pernem Goa under six points as stated therein in the said application.
2. It is the contention of the appellant that the Respondent No. 1 PIO failed to furnish him the said document as sought by him within stipulated period of 30 days and that he received reply of PIO on 25/5/2018 informing/requesting to collect the said information from the school clerk cum Librarian during any working hours .
3. According to the appellant in pursuant to the said letter he visited the school on 11/6/2018 to collect the information. However the Respondent No. 1 PIO failed to provide him the information by stating that he had already sent the information by post. It is the

contention of the appellant that he did not received the information by post till date

4. According to the appellant he being aggrieved by such an response of Respondent PIO and as he did not received the information as sought by him vide application dated 7/4/2018 , he preferred the first appeal on 22/5/2018 with Respondent no. 2 Deputy Director of, Education, North Zone at Mapusa, Goa being first appellate authority and who finally disposed the said appeal by an order dated 7/6/2018 .
5. In this background being aggrieved by the action of both the respondent herein the present appeal came to be filed by the appellant on 21/6/2018 interms of section 19(3) of RTI Act ,2005 thereby seeking directions to PIO for furnishing him information/documents as sought by him vide application dated 7/4/2018.
6. Both the parties were duly notified. In pursuant of notice of this commission the appellant appeared alongwith Advocate Nilesh Manerkar. Respondent No. 1 PIO was represented by Advocate Abhijit Gosavi and respondent No.2 was represented by Shri Dayanand Chawdekar.
7. Reply filed by respondent No.1 PIO on 7/9/2018 to which rejoinder was filed by the appellant on 19/09/2018 .
8. Vide reply the Respondent PIO have contended that the application made by the appellant was duly replied by him vide communication dated 25/5/2018 wherein he was requested to collect the information. However the appellant failed to appear and collect the information. It was further contended that the statement of the appellant that he visited the school is incorrect as the said is without any basis or evidence and no any correspondence was made by the appellant to that effect. It was further contended that the application is being filed by the appellant

with sole intention for harassing the respondent No. 1 to settle his personal scores as the management of the said school has taken disciplinary action against the appellant. It was further contended that the appellant instead of collecting the information as directed by communication dated 25/5/2018 preferred to file first appeal clearly demonstrate the malafides of the appellant. It was further contended that there is no refusal to provide the information interms of the RTI Act.

9. The appellant vide his rejoinder denied the averments made in the reply by PIO.
10. Arguments were advanced by both the parties.
11. Considering the intend of the RTI Act and as the PIO by his communication dated 25/5/2018 and also before first appellate authority had affirmed that the information is ready and had also volunteered to furnish the same, this commission directed the PIO to furnish the said information to the appellant before this commission. Accordingly the same was furnished to the appellant on 26/09/2018 .
12. The appellant on verification of the information submitted that he is satisfied with the information furnished to him.
13. Since the information is being now furnished to the appellant as sought by him by application dated 7/4/2018. I find no intervention of this commission required for the purpose of furnishing of information and hence the relief sought in the memo of appeal becomes infructuous.
14. Appeal disposed Accordingly. Proceedings stands closed
Notify the parties.
Pronounced in the open court.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Sd/-
(Ms.Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission,
Panaji-Goa