

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

Appeal No.110/2019/SIC-I

Dr. (Ms.) Kalpana V Kamat,
Caldeira Arcade,
Bhute Bhat, Vasco, Goa.
V/s

....Appellant

1)Public Information Officer,
Office of Asst. Registrar of
Co-operative Societies
3rd Floor, Gomant Vidya Niketan Bldg,
Margao-Goa.

2)First Appellate Authority,
Registrar of Co-operative Societies,
Government of Goa 4th and 5th Floor
Sahakar Sankul,
Patto Panaji-Goa.

.....Respondents

CORAM: Ms. Pratima K. Vernekar, State Information Commissioner.

Filed on: 29/04/2019
Decided on:23/05/2019

ORDER

1. The second appeal came to be filed by the Appellant Dr. Kalpana V Kamat on 29/04/2019 against the Respondent No. 1 Public Information Officer (PIO),of the Office of Assistant Registrar of Co-operative Societies, Margao-Goa and against Respondent No. 2 First Appellant Authority (FAA), under sub section (3) of section 19 of RTI Act.
2. The brief facts leading to the second appeal are that the appellant vide her application dated 04/02/2019 had sought for the certain information from the Respondent No. 1 PIO of Office of Asst. Registrar of Co-operative Societies, Margao-Goa on 8 points as listed therein in exercise of her right under 6 (1) of RTI Act, 2005.
3. It is the contention of appellant that she received a reply from the Respondent No. 1 PIO on 20/02/2019 in terms of sub section (1)

of section 7 of RTI Act, 2005 thereby requesting her to visit their office and to inspect the related documents as desired by her.

4. It is the contention of the appellant that she being aggrieved by such a response of Respondent No. 1 PIO, preferred the first appeal on 06/03/2019 before the Registrar of Co-operative Societies, at Patto, Panaji-Goa being a First Appellate Authority who is the Respondent No. 2 herein.
5. It is the contention of the appellant that the inspection of the files were given to her on 08/04/2019 by the respondent PIO, and after the inspection she short listed the documents and vide her letter dated 08/04/2019 provided the list of documents which were required by her to the respondent no. 1 PIO.
6. It is the contention of the appellant that she received letter from the respondent no. 1 PIO on 10/04/2019 thereby requesting her to collect the desired information on payment of fees amounting to Rs. 384/- (total pages –192 @ Rs. 2 each).
7. It is the contention of the appellant that she received a notice of hearing from Respondent No.2 First Appellate Authority, however, according to her since the Respondent No. 2 First Appellate Authority did not dispose her first appeal, she is forced to approach this commission by way of second appeal as contemplated under section 19(3) of RTI Act, 2005.
8. In this background, the appellant has approached this commission with a contention that information is still not provided and seeking relief for direction to PIO for providing her information, free of cost and for invoking penal provisions and for compensation.
9. The matter was taken up on board and was taken up for hearing after intimating both the parties. In pursuant to notice of this commission, appellant appeared in person. Respondent PIO was represented by APIO Vasant Naik. Respondent No. 2 was represented by Shri Dhiraj Pednekar.

10. Reply was filed by Respondent No. 1 PIO on 23/05/2019. The APIO submitted that he has carried the information to be furnished to appellant, as such the copy of the reply along with the information was furnished to the appellant herein on 23/05/2019. The appellant acknowledged the said information which was furnished to her, free of cost and after going through the information submitted that she has no any further grievance with respect to information furnished to her since the same is furnished as per her requirements and accordingly endorsed her say.
11. Since available information have been now furnished to the appellant, free of cost as per the requirements of the appellant, I find no intervention of this commission is required for the purpose of furnishing information and hence prayer (3) becomes infructuous.
12. It is found from the records that the Respondent No. 1 PIO was diligent in performing the duties under RTI Act and he had responded the application of the appellant well within stipulated time. There was no denial from his side for furnishing the available information. The PIO have extended the full corporation to the appellant and the queries sought by her vide her different communications/correspondence were duly replied by the respondent PIO. Further the PIO has shown his bonafides in providing the information free of cost and as such, I am of the opinion that the facts and circumstances of the present case doesn't warrant levy of penalty on Respondent PIO.
13. As discussed above and in view of the submissions and the endorsements made by the appellant herein, nothing survives to be decided in the present proceedings and hence the 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.

Pronounced in the open court.

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