

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

CORAM: Shri Juino De Souza : State Information Commissioner

Appeal No. 258/SIC/2016

Prakash R. Desai,
H. No. 673,
Cuncoim, Salcete – Goa.

.... Appellant

v/s

1. The Public Information Officer,
Goa Football Development Council
Gr. Floor, East Wing
Dr. Shyama Prasad Mukherjee Indoor Stadium,
Goa University Complex,
Taleigao-Goa.

2. The First Appellate Authority,
Goa Football Development Council
Gr. Floor, East Wing
Dr. Shyama Prasad Mukherjee Indoor Stadium,
Goa University Complex, Taleigao-Goa.

.... Respondents

Relevant emerging dates:

Date of Hearing : 25-02-2019

Date of Decision : 25-02-2019

O R D E R

1. **Brief facts of the case** are that the Appellant vide an RTI application dated 12/07/2018, sought certain information under Section 6 (1) of the RTI Act. 2005 from the Respondent PIO, Goa Football Development Council, Panaji-Goa. It is seen that the information sought is voluminous & pertains to 46 points.
2. The Appellant is *inter alia* is seeking to inform the list of the GFDC Centers in Goa as on 17/07/2016 and the list of centers who are not having any registration. To furnish the dates of inwards month wise of those bills that are settled and unsettled and of which month administrative expenses if of. (4) At serial no. 9 those bills are settled are inwards by the centre head in which date of the month and for which month of the administrative expenses, To furnish the list of the bills of Cuncoim centre associates with Cuncoim Union unsettled/Pending with the GFDC and pertains to which months of the administrative expenses is from May 2015.

3. To furnish the date and copy of the termination letter stating that Cuncolim centre is associated with Cuncolim Union is terminated. To furnish the list of the participants (boys & girls) participated in Cuncolim Centre associated by Cuncolim union. If the Council has changed its decision in regards to the administrative approval and to furnish the copy of the Council about changes in decision of the Council in relates to administrative approval and other such related information.
4. It is seen that the PIO vide reply dated 12/08/2016 informed the appellant that the information is bulky and thus it is not possible to provide the information within the stipulated time period. The PIO also informed that no information can be furnished to questions asked like why, how as per Government Circular dated 21/06/2016.
5. Not satisfied with the reply, the Appellant filed a First Appeal on 08/09/2016 and the First Appellate Authority (FAA) vide an Order dated 05/10/2016 allowed the First Appeal by directing that the Appellant shall be furnished information which is and as is in the form which is available in the public authority within 10 days of the Order.
6. Being aggrieved that despite the direction of the First Appellate Authority, no information has been furnished by the PIO, the Appellant thereafter filed a Second Appeal registered with this Commission on 15/11/2016 and has prayed to impose penalty, disciplinary action and for other reliefs on the ground that the Respondent PIO has denied some information after the Order of First Appellate Authority.
7. **HEARING:** This matter has come up for hearing before the Commission on numerous previous occasions and thus it is taken up for final disposal. During the hearing the Appellant Prakash R. Desai, is absent. The APIO, Shri Gokuldas Premanand Naik, Asst. Administrative Officer, GFDC is present on behalf of PIO as well as the FAA.

8. **SUBMISSION**: At the outset the APIO submits that all information has been provided to the Appellant on 05/07/2018 pursuant to a letter received from the Appellant on 03/07/2018, wherein the Appellant had informed that information in Sr. No.11,14,18,20,21,26,27,38,39,40,41,43, and 46 are not furnished and which were directed to be furnished at the hearing by the Goa State Information Commission.
9. The PIO submits that 36 pages of information documents were furnished to the appellant over and above the 936 pages which were also furnished as per the RTI application dated 16/08/2016 and thus totally the information documents supplied to the Appellant are 972 pages of information documents.
10. The PIO submits a detailed reply dated 28/11/2018 by enclosing all copies of information. The said reply is taken on record. The PIO finally submits that as all information as sought by the Appellant has been furnished, nothing more remains to be furnished and therefore requests the Commission to dispose the said Appeal.
11. **FINDINGS**: The Commission after hearing the submission of the APIO and perusing the material on record including the reply dated 28/11/2018 indeed finds that all information has been furnished. Initially the Appellant was informed by the PIO vide letter dated 12/10/2016 to collect the information on payment of fees Rs.5385/- and which the Appellant has paid vide official receipt No.110 dated 24/10/2016 and collected the information documents.
12. The Commission further finds that during the hearing held on 20/11/2017, the Appellant had argued that the amount of Rs.5385/- was paid under protest as the number of pages of information supplied were not matching with the amount calculated and had demanded a refund.

13. The Commission also finds that the PIO has furnished another 36 pages of information documents over and above the 936 pages which were earlier provided to the Appellant. Thus the Commission finds that totally the information documents supplied to appellant works out to $936+36=972$ pages. As all information has been furnished nothing further survives in the appeal case.

14. **DECISION:** The Appellant has paid an amount of Rs.5385/- vide receipt No.110 dated 24/10/2016 and whereas the amount to be collected @ Rs 2/- per page for Xerox copy works out to Rs. 1944/-. Therefore the PIO is directed to refund the balance of the excess amount so collected amounting to Rs 3441/- to the Appellant by refund cheque payable to Mr. Prakash R. Dessai. The said cheque is to be posted to him by Speed post at the address on record of the public authority within 25 days of the receipt of this order.

With these directions the Appeal case stand disposed.

All proceedings in Appeal case stands closed. Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

Sd/-

(Juino De Souza)
State Information Commissioner