

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

Appeal No. 295/2018/SIC-I

Mr. Gautam Mandrekar,
H.No.257, Kattewada,
Morjim, Pernem, Goa.

....Appellant

V/s

1) The Public Information Officer,
Executive Engineer,
Electricity, Department,
Mapusa Goa.

.....Respondent

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 6/12/2018

Decided on: 18/1/2019

ORDER

1. The brief facts leading to present appeal are that the appellant Shri Gautam Mandrekar herein by his application dated 30/4/2018 filed under section 6(1) of Right to Information Act, 2005 sought certain information from the Respondent No. 1 Public Information Officer (PIO), office of Executive Engineer, electricity Department, Mapusa Goa pertaining to the Electricity connection issued for the period 1/1/2010 to 20/3/2018.
2. It is the contention of the appellant that he received reply on 14/5/2018 calling upon him to pay a amount of Rupees 7700/- as fees towards the information and he was also requested to identify the documents required by him.
3. It is the contention of the appellant that in pursuant of the said letter of PIO he visited the office of the PIO and the Respondent PIO requested the appellant to ask specific information and as such he short listed the information and vide application dated 22/5/2018 provided him the list of required information .

4. It is the contention of the appellant that he did not received any information on his original RTI applications dated 30/4/2018 nor on short listed application dated 22/5/2018 as such he send a reminder to the PIO vide letter dated 25/6/2018 and since the PIO did pay heed to his request, he filed first appeal before the first appellate authority on 14/8/2018 and First appellate authority vide order dated 11/09/2018 allowed his appeal and directed the respondent PIO to issue the information to the appellant, immediately.
5. It is the contention of the appellant that inspite of the said order, the said information was not furnished and hence the appellant had to approached this commission on 6/12/2018 in his 2nd appeal seeking relief of directions to PIO to furnish the information as also seeking penalty as against PIO.
6. Notices were issued to both the parties. Appellant appeared in person. Respondent PIO Shri Pradeep Narvekar appeared and filed his replies on 1/1/2019 and on 4/1/2019 along with the enclosures. copies of the replies along with the enclosures were furnished to the appellant .
7. The Respondent PIO vide his reply and also before this commission submitted that there was no denial of information by them and the same could not be furnished to the appellant since the appellant failed to make necessary payments.
8. The appellant then submitted that he is still interested in receiving the information and presently he requires the information as sought by him in his short listed applications dated 22/5/2018 at serial no.1 i.e the certified copy of annexure-I requisition for supply of energy and he is willing and ready to pay the amount towards fees for the said information .
9. The PIO undertook to furnish the said information and accordingly the same was furnished to the appellant on 18/1/2019 after due payment of requisite fees were paid by the appellant.

10. Since the available information as per the requirement of the appellant have now been provided to the appellant , I find no intervention of this commission is required for the purpose of furnishing information hence prayer –I becomes infructuous .
11. The facts of the present case doesn't warrant the levy of penalty on the PIO as the records shows that there was no denial from the side of PIO to furnish the information sought by the appellant. Nevertheless, the appellant also fairly did not press for invoking penal provisions and the endorsement to that effect has been made by the appellant on the memo of appeal.

Appeal disposed accordingly. Proceedings stand 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