

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

Appeal No. 72/2019/SIC-I

Shri Shambhu Madhukar Parab,
H.No. 306/2-B, Mirzalwada ,
Palye, Pernem, North Goa,
Goa-403524

....Appellant

V/s

1) The Principal,
Public Information Officer,
St. Xavier's Higher Secondary School & College,
Mapusa ,Bardez-Goa.

.....Respondent

CORAM:

Ms. Pratima K. Vernekar, State Information Commissioner.

Filed on: 15/03/2019

Decided on: 07/05/2019

ORDER

- 1 The second appeal came to be filed by the appellant Shri Shambu Parab on 15/3/19 against the respondent PIO of St. Xavier Higher secondary school and college ,Mapusa –Goa under subsection (3) of section 19 of right to Information Act ,2005 .
- 2 The brief facts leading to present appeal are that, by an application dated 6/6/2018 the appellant sought from Respondent no. 1 PIO the information as listed at serial No. 1 to 4 pertaining to admission given in standard 11th, Science Stream for the academic year 2018-2019. The said information was sought from the PIO of St. Xavier Higher Secondary School at Mapusa in exercise of appellant's right under sub section (1)of section 6 of RTI Act,2005.
3. It is the contention of the appellant that his application was responded by the PIO on 2/7/2018 thereby requesting the appellant to collect the said information from their office during

working hours and the said letter was received by him on 05/07/2018.

4. It is the contention of the appellant that in pursuant to the above letter of respondent , he visited the office of PIO on 9/7/18 and collected the information personally which was provided to him vide letter dated 5/7/2018 .
5. It is the contention of the appellant that respondent PIO refused to furnish him information on the ground that their Institution is a religious minority Institution functioning as per article 30 of the Indian constitution and the information sought at point no.(iv) was denied on the ground that it is third party information and the same cannot be furnished as there is no assent from third party .
6. It is the contention of the appellant that the information at point no. 2 ,3 and 4 was denied to him and as such he being aggrieved by non furnishing of the said information filed first appeal on 10/01/2019 before the first Appellate authority and the first appellate authority vide order dated 31/1/19 allowed his appeal and directed respondent PIO to furnish information at point no(iv),free of cost within 10 days of the receipt of the order.
7. It is the contention of the appellant that the order dated 31/1/19 of the first Appellate Authority was not complied by the respondent PIO nor information furnished to him as such he being aggrieved the action of PIO has no any option then to approach this commission by way of present second appeal .
8. In this back ground the present appeal came to be filed by the appellant on 15/3/2019 interms of section 19(3) on the grounds raised in a memo of appeal there by seeking several reliefs, Viz-a-viz the directions for Respondent for furnishing him the information, for initiating disciplinary action for wilfully delaying the information etc.

9. After notifying the parties the matter was listed on the board and was taken up for hearing. During the hearing appellant was present in person. Respondent PIO Dr. Elvis Gonsalves appeared alongwith Advocate V. Korgaonkar.
10. An application dated 7/5/2019 seeking permission to withdraw appeal No.72/2019 came to be filed by the appellant Shri Shambhu Parab with the registry of this commission which was inwards vide entry No. 745 dated 7/5/2019 was placed before me on the same day. The appellant also appeared before the undersigned commission and showed his desires to withdraw the same and requested to grant permission to withdraw the present appeal filed by him.
11. In view of the submissions and the application made by the appellant, I find no any reasons to proceed with the matter and hence the same stands disposed as withdrawn.

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