

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

Appeal No. 126/2019/SIC-I

Shri Vijaykumar A. Shirodkar,
H.No.G/79/1,
Goulem-Bhat,Chimbel,
Tiswadi-Goa.
V/s

....Appellant

1)The Public Information Officer (PIO),
Union High School,
Chimbel, Tiswadi-Goa .

2)First Appellate Authority (FAA),
Dy. Director of Education,
Central Education Zone,
Massan de Amorim,
Panaji Goa.

.....Respondents

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

Filed on: 30/04/2019
Decided on:08/07/2019

ORDER

1. The present second appeal came to be filed by the appellant Shri Vijaykumar A. Shirodkar herein with a contention that despite of the order of Respondent No.2 first appellate authority, dated 5/3/2019 information sought by him vide application dated 23/10/2018 has not been provided to him by the Respondent no. 1 PIO of Union High School, Chimbel, Tiswadi Goa. In the present appeal the appellant has sought directions against Respondent PIO for furnishing correct and complete information as sought by him free of cost and for invoking penal provisions .
2. The matter was listed on the board and was taken up for hearing. In pursuant of the notice of this commission the appellant appeared in person and Respondent PIO represented by Advocate Pedro Rocha who placed on record the reply of Respondent No. 1 PIO on 20/6/2019. The copy of the reply was furnished to the

appellant herein. The Respondent no. 2 opted to remain absent neither filed any reply to the proceedings .

3. I have scrutinised the records available in the file also considered the submission of both the parties .
4. On scrutiny of records it was found by this commission that the information which is sought by the appellant in the present matter vide his application dated 23/10/2018, same was also sought by the appellant vide his another application dated 7/12/2018 and the appellant had filed appeal bearing No. 125/2019 pertaining to the above said application .
5. This commission disposed the appeal bearing NO. 125/2019 vide order dated 8/7/2019 after hearing both the parties wherein the direction were given to the Respondent PIO to furnish the information and had directed to issue showcause to respondent PIO . Since the subject matter of both the above RTI application i.e 23/10/2018 and 7/12/2018 and the information sought is common and as the appeal No.125/2019 was already disposed with reference to same subject matter and between same parties, the principle of res-judicate is applicable to the facts of the present case .
6. Nevertheless the appellant during the hearing on 8/7/2019 also fairly admitted that the information and the subject matter of both the appeals namely appeal No. 125/2019 and 126/2019 are same and since appeal No. 125/2019 is already disposed by this commission, as such showed his desire to withdraw the present appeal. Accordingly he endorsed his say on the memo of appeal.
7. In view of above discussion and in view of submission and the endorsement made by the appellant I find no reason to proceed with the appeal and hence the appeal stands disposed as withdrawn.

Notify the parties.

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