

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

Appeal No. 13/2020/SIC-I

Mrs. Anita Lakhani,
Nakshatra Residency,
Flat No. 503, Mangor hill,
Vasco-Goa.

....Appellant

V/s

1. Public Information Officer (PIO),
Our Lady of Desterro High School,
Desterro High School,
Desterro Vasco-Goa.

2. First Appellate Authority,
Dy. Director of Education,
South Education Zone,
Margao-Goa

.....Respondents

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

Filed on: 23/12/2019

Decided on: 06/02/2020

ORDER

1. The brief facts leading to present appeal as put forth by the appellant are as under:-

(a) That the appellant Mrs. Anita Lakhani herein in exercise of her right under sub-section (1) of section 6 of RTI Act, by an application dated 3/6/2019 sought from the Public Information Officer (PIO), of Our Lady of Desterro High School, Vasco-Goa following Documents:-

(i) Certified copy of her ACR Form for the last 10 years.

(ii) Photocopy of her service book records.

(b) It is the contention of the appellant that she filed RTI application dated 3/6/2019 personally in the office of PIO but since the PIO refused to accept it, she send the said application on school address through Register A.D. which was received by the office of Respondent PIO on 4/6/2019.

- (c) It is the contention of the appellant that her above application filed in terms of sub section (1) of section 6 was not responded by the Respondent PIO herein within stipulated time of 30 days and as such deeming the same as rejection, the she filed 1st appeal on 10/7/2019 before the Deputy Director of Education, South Education Zone, Margao-Goa being First appellate authority (FAA) interms of section 19 (1) of RTI Act.
- (d) It is the contention of the appellant that after hearing both the parties, Respondent No.2 first appellate authority vide order dated 24/10/2019 allowed her appeal and directed the respondent no 1 PIO to issue the information sought by RTI application dated 3//6/2019 pertaining to herself .
- (e) It is the contention of the appellant that she vide letter dated 12/11/2019 informed the Respondent NO. 1 PIO to comply the directions contained in the order of Respondent no. 2 FAA.
- (f) It is contention of the appellant that inspite of the said order of FAA and reminder , since the said information was not furnished to her by Respondent No. 1 PIO, as such she being aggrieved by the action of respondent PIO is forced to approach this commission on 21/12/2019 in her 2nd appeal seeking relief of directions to PIO to furnish the information as also seeking penalty for not giving information within time.

2. Notices were issued to both the parties. Appellant was represented by Advocate Avinash Nasnodkar. Respondent No. 1 PIO Mrs Eveletane Antao present alongwith Advocate S. Rivonkar. Respondent no. 2 First appellate authority opted to remain absent.

3. The respondent No. 1 PIO in the course of the hearing showed her desire to furnish the information to the appellant and accordingly the same was furnished free of cost to the appellant vide memo dated 6/2/2020 .
4. The copy of the memo producing the documents alongwith the information was collected by the Advocate for the appellant
5. The Advocate for the Appellant after scrutinizing and verifying the information, submitted that appellant main intention was to receive the information and not to penalize the PIO and since the information have now been provided, there is no any grievance against the respondent PIO and hence not pressing for penal provisions. Accordingly on behalf of his client he endorsed his say on the memo of appeal.
6. Since the information have now been furnished as per the requirement of the appellant as was sought by her vide RTI Application dated 3/6/2019, and in view of submission and the endorsement made on behalf of appellant by the Advocate for the appellant, I find no reasons to proceed with the proceedings and nothing survives to be decided in the present proceedings hence the matter stands closed.

Pronounced in the open court. 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.

Sd/-

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