

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

Appeal No. 02/2020/SIC-I

Shri Royce Fernandes.
H.No. 1032, Grande Peddem,
Anjuna, bardez-Goa.
V/s

....Appellant

1) The Public Information Officer (PIO),
Goa Tourism Development Corporation Ltd.
3rd floor, Paryatan Bhavan, Panaji-Goa.

2) First Appellate Authority (FAA),
Goa Tourism Development Corporation Ltd.
3rd floor, Paryatan Bhavan, Panaji-Goa.

.....Respondents

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

Filed on:24/12/2019
Decided on: 28/01/2020

ORDER

1. The second appeal came to be filed by the appellant Shri Royce Fernandes on 24/12/2019 against the Respondent No.1 Public Information Officer of Goa Tourism Development Corporation Ltd at Panajim-Goa and against Respondent no. 2 first appellate authority under sub section (3) of section 19 of Right To Information Act, 2005.
2. The brief facts leading to the second appeal are that the appellant vide his application dated 25/7/2019 had sought for certain information from Respondent No.1 Public Information Officer (PIO)of the office of Goa Tourism Development Corporation Ltd at Panajim-Goa on 39 points as stated therein in respect of inspection of file done by him on 23/7/2019 mainly pertaining to processing of the "Goa Miles Apps" launched by the Goa Tourism Development Corporation Ltd.. The said information was sought in exercise of his right u/s 6(1) of RTI Act, 2005.
3. It is the contention of the appellant that his above application filed in terms of sub section (1) of section 6 was not responded by

the Respondent no.1 Public Information Officer (PIO) within stipulated time as contemplated u/s 7 of RTI Act and despite of he visiting the office of Respondent to collect the documents, the information is not furnished to him either on the pretext that the information was not ready or on the ground that the same was needed to be cross checked before handing over to appellant.

4. It is contention of the appellant that he vide his letter dated 7/10/2019 called upon PIO to give the reasons for considerable delay to submit the information to him and also informed that great hardship and harassment and loss has been suffered by him as a result of constant visits to their office to collect the information .
5. It is the contention of the appellant that despite of his reminder, since no information came to be submitted to him as such he being aggrieved by such an conduct of Respondent PIO filed first appeal on 23/10/2019 before the Respondent No. 2 interms of section 19(1)of RTI Act .
6. It is the contention of the appellant that respondent no.2 first appellate authority during the proceedings, directed respondent No. 1 PIO to furnish the required information, free of cost to the appellant by 29/11/2019 and in pursuant to said direction the Respondent No. 1 handed over folder containing the documents with covering letter dated 29/11/2019 .
7. It is the contention of the appellant that no opportunity was given to him to scrutinize the information as the original file was not there but the PIO informed him that he could collect any document if any were found missing.
8. It is the contention of the appellant that on scrutiny of the information furnished to him, it found that documents requested at point No. 1,2,5,15,and 39 were not submitted to him and

documents at point no. 24,28,30,31,32 and 38 were submitted partially and not as per actual.

9. It is the contention of the appellant that complete and missing information is very crucial in order to decide the legality of the said project /tender/operations and as such the same is required by him on priority.
10. In the above background the appellant being aggrieved by action of PIO and of First Appellate Authority (FAA), has approached this commission in this second appeal u/s 19(3) of the Act with the contention that the complete information is still not provided and seeking order from this commission to direct the PIO to furnish him the complete information as also for invoking penal provisions as against respondent PIO so also sought compensation for the detriment suffered by him at the hands of Respondents.
11. Matter was taken up on board and was listed for hearing and accordingly notices were issued to the parties, pursuant to which appellant was present in person. Respondent PIO Shri Kapil Panguinkar was present. The Respondent No.2 First Appellate Authority (FAA) opted to remain absent despite of due service of notice neither filed any reply to the proceedings.
12. Since the appellant only raised grievances with respect of non furnishing information at point no. 1,2,5,15,and 39 and partially furnishing of documents at point no. 24,28,30,31,32 and 38 , the respondent PIO undertook to furnish the said information to him pertaining to Taxi haling App and accordingly the same was furnished to the appellant on 28/1/2020 .
13. On verifying the said information the appellant submitted that the same has now furnished to him as per his requirement . He further submitted that his main intention was to receive the information and since information has now been provided to him,

he is not pressing for invoking penal provisions and compensation. Accordingly he endorsed his say on the memo of appeal .

14. Since the information have now been provided to the appellant as per the requirement of appellant , I am of the opinion that no further intervention of this commission is required for the purpose of furnishing the information and hence the prayer (A) becomes infructuous.
15. In view of the submission and the endorsement made by the appellant I find no reasons to proceed with the matter and nothing survives to be decided in the present matter hence the proceedings stands closed.

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