

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

Appeal No. 51/2020/SIC-I

Shri Shri Nazareth Baretto,
Agriculturist ,Indian National,
Resident of H.No. 126, Borda,
Margao, Salcete-Goa.

....Appellant

V/s

1) The Public Information Officer (PIO),
Administrator of Comunidades,
South Zone, Margao, Salcete-Goa.

.....Respondents

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

Filed on:05/02/2020
Decided on:30/06/2020

ORDER

1. The brief facts leading to second appeal as putforth by the Appellant, Shri Nazareth Baretto are as under ;
 - a) The Appellant in exercise of his right under sub section (1) of section 6 of RTI Act, 2005 had sought for certain information on 6 points regarding the file pertaining to Survey No. 14/1 of Village Dovorlim whereby plot was allotted to Mr. Nazareth Baretto in 2002 for Gaurage–Residence - business purpose and the other information connected to said subject. The said information was sought on 26/8/2019 from the Respondent Public Information Officer of the office of Administrators of Comunidades, South Zone, Salcete-Goa, by the Appellant.
2. 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 Public Information Officer (PIO) within stipulated time of 30 days neither the information was provided to him till

this date and as such deeming the same as rejection, the Appellant filed 1st Appeal interms of section 19(1) to the Collector, at Margao-Goa on 18/10/2019 being First Appellate Authority.

3. It is the contention of the Appellant that notices of the said Appeal was given to both the parties however the Respondent PIO have failed to remain present despite of due service of notice to him.
4. It is the contention of the Appellant that First Appellate Authority, disposed his first appeal on 29/11/2019 directing the Respondent PIO to furnish desired information free of cost to the Appellant.
5. It is the contention of the Appellant that even after the lapse of more than 2 months from passing of the order the Respondent PIO have failed to provide the information as directed vide order dated 29/11/2019.
6. In the above background the Appellant being aggrieved by action of PIO has approached this commission on 5/2/2020 in this second appeal u/s 19(3)of the Act on the grounds raised in the memo of appeal with the contention that the information is still not provided and seeking order from this Commission to direct the PIO to furnish the 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 Respondent.
7. 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 was represented by Shri Vivek Desai.
8. There after the matter could not be heard due to lockdown in view of Covid -19 and hence fresh notice were issued to both the parties after the lockdown was lifted in pursuant to said above named persons again appeared.

9. Reply filed by Respondent PIO on 30/6/2020 alongwith the information. The copy of the same was furnished to the Appellant. Appellant after verifying the information submitted that the said is as per his RTI Application and did not press for penal and other reliefs. Accordingly he endorsed his say on the memo of Appeal.
10. Since the information have now been provided to the Appellant as per his requirement, I am of the opinion that no intervention of this commission is required for the purpose of furnishing the information and hence the prayer (a) becomes infructuous. In view of the endorsement of the Appellant, I find no reasons to proceed with the present proceedings.

The Appeal proceedings disposed and closed accordingly.

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