

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

Appeal No. 62/2020/SIC-I

Shri Nilesh Raghuvir Dabholkar.
H.No. 275/2(new),Dabholwada,
Chapora, Anjuna, Bardez-Goa.

....Appellant

V/s

- 1) The Public Information Officer (PIO),
The Mamlatdar of Bardez and
Administrator of Devalayas,
Government Building,
Mapusa, Bardez-Goa.
- 2) The First Appellate Authority,
The Deputy Collector & SDM of Bardez,
Government Building,
Mapusa, Bardez-Goa.

.....Respondents

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

Filed on:31/01/2020
Decided on:02/07/2020

ORDER

1. By this appeal, the Appellant assails the order, dated 8/1/2020, passed by the Respondent No.2 First Appellate Authority in first appeal bearing No.22/31-NRD/2019/F.A.A./RTI, filed by the Appellant herein.
2. The brief facts leading to the present appeal are as under:-
 - (a) In exercise of right under section 6(1) of RTI Act, 2005, the Appellant Shri Nilesh Dabholkar filed application on 16/09/2019 seeking certain information from the Respondent No.1 Public Information Officer (PIO) of the office of the Administrator of Devalaya of Bardez-Goa on 12 points as listed therein in the said application in respect of Shree

Sidheshwar Devasthan, situated at Chapora, Anjuna, Bardez-Goa, registered before the mamlatdar of bardez bearing registration No. 99.

- (b) It is the contention of the Appellant that his said application was not responded by the Respondent No.1 PIO in terms of section 7(1) of RTI Act nor any information furnished to him thus he being aggrieved by such denial preferred first appeal on 24/10/2019 before the Respondent no. 2 Deputy Collector of Bardez at Mapusa, being First Appellate Authority in terms of section 19(1) of RTI Act, 2005. The said first appeal was registered as Appeal No. 22/31-NRD/2019/F.A.A./RTI .
- e) It is the contention of the Appellant that after hearing both the parties, the Respondent No. 2 First Appellate Authority disposed the said appeal by an order dated 8/1/2020 by upholding the say of PIO and without granting him any reliefs. and as such he being aggrieved by the action of both the Respondents is forced to approach this commission in his 2nd Appeal.
3. In this background the Appellant has approached this Commission on 30/1/2020 in this Second Appeal as contemplated u/s 19(3) of RTI Act with the grounds raised in the memo of Appeal and with the contention that the information is still not provided and seeking order from this Commission to direct the PIO to provide the complete information to him in the manner in which it was sought for vide application dated 16/9/2019 under the Right to Information Act.
4. The Matter was taken up on board and was listed for hearing after intimating both the parties. In pursuant to the notice of this Commission, Appellant was present in person. Respondent PIO Shri Laxmikant Kuttikar was present. Respondent No.2 First Appellate Authority opted to remain absent .

5. In the course of the hearing before this Commission, the Appellant submitted that his grievance is in respect of non furnishing of the information at point No. 1,4,5,and 6 pertaining to years 2019 which has not been furnished to him on the pretext that the Audit for the year 2019 is in progress .
6. The Respondent PIO sought time to make once again attempt for calling the said information from the said Devasthan and then to furnish the available information to the Appellant and then the matter was fixed on 9/4/2020 for furnishing information and for filing reply by Respondent PIO.
7. In view of the lock down due to Covid -19, the matter could not be taken on 9/4/2020 as such fresh notices were issued to both the parties. In pursuant to the fresh notices Appellant was present in person Respondent NO. 1 PIO Shri laxmikant Kuttikar present. Respondent no. 2 First Appellate Authority opted to remain absent .
8. Affidavit filed by Respondent no. 1 PIO on 2/7/2020 thereby enclosing the copies of information at point No.1,4,5 and 6 of his RTI application dated 16/9/2019 . Copy of the same was furnished to the Appellant herein which was verified by the Appellant and accordingly endorsed his say on the memo of Appeal.
9. In view of endorsement of Appellant and since available information have been now furnished to the appellant, free of cost as per the requirements of the appellant, I find no further intervention of this commission is required for the purpose of furnishing information and hence prayer(I) becomes infructuous.

Appeal disposed and closed accordingly.

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