

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

Appeal No. 84/2020/SIC-I

Shri Damodar Divkar,
House No. 239,
Near Maruti Temple,
Headland Sada, Mormugao –Goa.

....Appellant

V/s

1. SPIO, Shri Saish S. Naik,
Asst. Electoral Registration Officer for
24-Mormugao AC & Joint Mamlatdar-I,
Mormugao, Taluka, Vasco Goa.

2. First Appellate Authority,
The Deputy Collector & SDO,
Mormugao, Taluka, Vasco Goa.

.....Respondents

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

Filed on: 12/05/2020
Decided on:16/07/2020

ORDER

1. The Appellant, Shri Damodar Divkar has filed the present appeal on 29/04/2020 praying that the Information as requested by him in his application dated 21/1/2020 be furnished to him correctly and for invoking penal provisions and compensation.
2. Brief facts of the present proceedings as putforth by Appellant are as under :-

(a) In exercise of right under section 6(1)of right to information Act ,2005 the Appellant filed an application on 21/1/2020 seeking certain information from the Public Information Officer of the office of Chief Electoral Officer Altinho Panaji -Goa on 6 points as stated therein in the said application.

(b) Vide said application dated 21/1/2020, the Appellant had sought for following information pertaining to Mormugao-

Goa constituency (South-Goa District) from ward No. I to ward No. IX:

- i) The number of Voters enrolled , were present in the year 2012 .
 - ii) The number of voters added .
 - iii) The number of voters deleted.
 - a) If so, the details and reason thereof and the procedure followed to de-enroll the names in voter list.
 - iv) The number of voters present in the list of enroll at the time of Loksabha election 2019.
 - v) Please provide the certified copies of the document, ID of applicants basing on which the names were deleted in the election list.
 - vi) The number of voters present in the existence.
- (C) It is the contention of the Appellant that his above application filed in terms of sub section (1) of section 6 was responded by the Respondent No.1 Public Information Officer of the office of Mamlatdar of Mormugao Taluka at Vasco-Da-gama on 3/3/2020 (PIO) in terms of section 7(1) of RTI Act there by enclosing the information submitted by the Asst. Electoral registration officer for 24-Mormugao AC and Joint Mamlatdar-I Mormugao Taluka, Vasco Goa Vide letter dated 28/2/2020 .
- (d) It is the contention of the Appellant that he was not satisfied with the said information provided to him vide letter dated 28/2/2020 and hence he preferred first appeal in terms of section 19(1) of RTI Act on 17/3/2020 before the Dy. Collector and SDO Mormugao being First Appellate Authority .

- (e) It is the contention of the Appellant that Respondent No. 2 First Appellate Authority also did not respond to his Appeal and failed to acknowledge the public interest behind the information sought by the Appellant. Thus has violated his duties under the RTI Act.
3. In this above background the Appellant being aggrieved by action of PIO, and First Appellate Authority 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 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 Respondents.
 4. Matter was taken up on board and was listed for hearing and accordingly notices were issued to the parties. In pursuant to the notice of this Commission, Appellant was present in person. Respondent PIO Shri Saish Naik was present Respondent No. 2 opted to remain absent.
 5. Reply filed by respondent PIO on 16/7/2020 along with the supporting documents. The copy of the same was furnished to the Appellant. Appellant after verifying the information and supporting documents submitted that he has no any further grievance with respect to the information furnished to him during this proceedings before this Commission as the same are supported with documents and Appellant further submitted that he is not pressing for penal provisions. Accordingly he endorsed his say on memo of Appeal.
 6. 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.

7. In view of the endorsement of the Appellant, I find no reasons to proceed with the other relief which are in penal natures.

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