

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

Appeal No. 15/2020/SIC-I

Shri. Prakash P. Dhoke.
13/366/8, Ground floor,
Near Karimabad Co. Op. Housing Society,
Campal , D.B.Marg,
Panaji-Tiswadi, North Goa.
V/s

....Appellant

- 1) First Appellate Authority,
Sports Authority of Goa,
1st floor, East wing,
Dr. S.P.M. Indoor Stadium,
Taleigao Goa.
- 2) The Public Information Officer,
Sports authority of Goa,
1st floor, East wing,
Dr. S.P.M. Indoor Stadium,
Taleigao Goa.
- 3) The Assistant Public Information Officer,
Sports authority of Goa,
1st floor, East wing,
Dr. S.P.M. Indoor Stadium,
Taleigao Goa.

.....Respondents

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

Filed on: 08/01/2020

Decided on: 07/02/2020

ORDER

1. The second appeal came to be filed by the appellant Shri. Prakash P. Dhoke on 8/1/2020 against the Respondent no. 1 first appellate authority, against the Respondent No.2 Public Information Officer and against Respondent No.3 Asst. Public Information officer of Sports authority of Goa, under sub section (3) of section 19 of RTI Act 2005.
2. The brief facts leading to the second appeal are that the appellant vide his application dated 24/10/2019 had sought for the inspection of complaint inquiry office files of SAG Head Office which was officially prepared by SAG-Head office officials against Mr. Mahesh Rivonkar project officer, SAG after dated 3/10/2019.

3. The said information was sought by the appellant from Respondent no. 2 PIO in exercise of his right u/s 6(1) of RTI Act, 2005.
4. 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 2 PIO within stipulated time of 30 days and as such deeming the same as rejection, the appellant filed 1st appeal to Respondent no 1 first appellate authority on 25/11/2019 .
5. It is the contention of the appellant that no hearing was taken placed and no order was passed by the respondent no. 1 FAA as such he being aggrieved by the action of both the Respondents, is forced to approach this commission in terms of section 19(3) of RTI Act there by seeking relief of directions to PIO to provided him the inspection of the said file.
6. Notices were issued to both the parties. Appellant appeared in person. Respondent No. 1 first appellate authority opted to remain absent. Respondent No. 2 Mrs. Joanita Dias and Respondent no. 3 Mrs. Monica Dorado were present.
7. Reply filed by respondent no. 2 PIO on 7/02/2020 submitting that the inspection as sought by the appellant has been carried out by the appellant and the documents will be given to him if requested by an fresh RTI application. It was further submitted that there was no malafide intention on the part of any officers to suppress the information and their office has always cooperated with the appellant.
8. The appellant admitted of having carried the inspection and further submitted that his main intention was to receive the information and since now the inspection of the file as sought by him vide his application dated 24/10/2019 is given to him, he has no grievance against the Respondents and he is not pressing for

penal provisions. Accordingly he endorsed his say on the memo of appeal.

9. It is hereby observed by this commission based on the records available in the file which have gone undisputed and unrebutted that the Respondents herein have not acted in the conformity with the provisions of RTI Act. Since there is nothing on record that such lapses on the part of the Respondents are persistent, a lenient view is taken in the present proceedings and they are hereby directed to be vigilant henceforth while dealing with the RTI matters. Any lapses if found in futures shall be viewed seriously.
10. Since the information/inspection of the records has now been provided to the appellant as was sought by him vide his application dated 24/10/2019 and in view of the submission and endorsement made by the appellant, I find no reasons to proceed with the matter and nothing survives to be decided in the present proceedings

With this above direction to the Respondents, the appeal proceedings 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