

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

Appeal No. : 316/2019/SIC-I/

Shri. Nazareth Baretto,
R/o H.No. 126,
Borda, Margao, Salcete-Goa.

..... Appellant

v/s

1. Public Information Officer-05,
The Administrator of Comunidades,
South-Zone, Margao-Goa.

2. The Escrivao,
Comunidade of Davorlim,
Salcete-Goa.

....Respondents

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

Filed on: 11/11/2019
Decided on: 30/01/2020

ORDER

1. The brief facts leading to the second appeal as put forth by the appellant Shri Nazareth Barretto are as under:-

a. That the appellant, in exercise of his right under sub-section(1) of section 6 of RTI Act, 2005, vide his application, dated 15/3/2019 addressed to the Respondent No.1 Public Information Officer (PIO) of the Office of the Administrator of Comunidades South -Zone at Margao requested to furnish certain information on 11 points as stated therein in the said application pertaining to Comunidade of Davorlim.

b. 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 Respondent No. 1 PIO within stipulated time of 30 days and even he visited the office of the Respondent PIO on various occasion but the Respondent No. 1 PIO denied giving him the information asked on some pretext or the other.

c. It is the contention of the appellant that Respondent PIO failed to provide him the information in the prescribed time framed, as such he filed first appeal before the Additional Collector , at Margao- Goa on 15/5/2019 in terms of section 19(1) of RTI Act, 2005 being first appellate authority and after hearing both the parties disposed his appeal vide order dated 27/8/2019 wherein the Respondent No. 1 PIO was directed to furnish the information to the appellant within one month from the date of the order .

d. It is contention of the appellant that till date the Respondent has failed to provide him the information thereby defying the order of first appellate authority.

2. In the above background the appellant being aggrieved by action of both the Respondents has approached this Commission on 11/11/2019 in this second appeal u/s 19(3) of the Right To Information Act 2005 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 him the information, for invoking penal provision and imposing fine on the Respondents.
3. 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 No.1 PIO was represented by Shri Vivek Desai. Respondent no.2 Shri Naresh Desai was also present.
4. Reply filed by respondent no. 1 PIO on 30/1/2020 alongwith the enclosure thereby answering all the queries and providing available information to the appellant as sought by the appellant vide his application dated 15/3/2019. Affidavit also filed by respondent no. 2 on 20/1/2020 thereby giving point wise reply.
5. After verifying the said information furnished to him by respondent no. 1 PIO on 30/1/2020, the appellant acknowledged

the same and further submitted that since the information now been provided to him as such he does not desire to press for penalty and fine as prayed by him in the memo of appeal and accordingly endorsed his say on the memo of appeal.

6. Since the information requested by the appellant in his application dated 15/3/2019 is already furnished to the appellant and in view of 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. Hence the proceedings stands closed.

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