

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No.124/2020

Shri. Nigel Gonsalves,
5, Sorab House, Khambatta Lane,
Opp. VJBU P.O.,
Byculla (E), Mumbai. 400027

.....Appellant

V/S

1. The Public Information Officer,
Office of the Asst. Registrar of Co-op. Societies,
North Zone, Govt. Office Complex,
Mapusa, Goa. 403507.

2. The First Appellate Authority,
Office of the Registrar of Co-op. Societies,
Sahakar Sankul Building, 4th Floor, Patto,
Panaji- Goa. 403001

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 10/08/2020

Decided on: 24/09/2021

FACTS IN BRIEF

1. Appellant Mr. Nigel Gonsalves, r/o. 5, Sorab House, Khambatta Lane, Opp. VJBU P.O., Byculla, Mumbai, 400027, by his application dated 25/02/2020 filed under sec 6(1) of Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information pertaining to Anandi Apartment Co-operative Housing Maintenance Society Limited, Duler, Mapusa Goa from Public Information Officer (PIO), Office of the Asst. Registrar of Co-operative Societies, North Zone at Mapusa Goa.
2. That the said application was replied by the PIO on 04/03/2020 thereby requesting the Appellant to visit the office of PIO, inspect the file, indicate the required documents, so as to provide the information.
3. Accordingly Appellant visited the office of PIO on 18/03/2020 and on 23/03/2020 and inspected the file and due to constraint of time

he was called again on 26/03/2020 by the PIO, for further verification of file "A".

4. However due to Nation wide Janata Curfew and thereafter national lockdown, the PIO office remained closed and matter was pending.
5. According to Appellant, since he did not receive the information within stipulated time being deemed as refused he preferred first appeal and thereafter this second appeal under sec 19(3) of the Act.
6. Notice was issued to the parties, pursuant to which, PIO, Shri. Santosh Naik appeared and filed his reply on 15/07/2021. Shri. Sudhakar Gaude appeared on behalf of FAA but chose not to file any reply in the matter, Appellant duly served, did not remain present for hearings.
7. Perused the records considered the pleadings of the parties and heard the PIO and FAA.
8. PIO through his reply contended that soon after lockdown was lifted by the Government, the information identified during inspection was sent to the residential address of the Appellant at Anandi Apartment, Duler Mapusa Goa through MTS of his office, however said was returned back as "Appellant not found at his residence".

PIO further contended that thereafter he forwarded said information to the Appellant at his another address i.e. "Mr. Nigel Gonsalves, 5, Sorab House, Khambatta Lane, Opp. VJBU P.O., Byculla Mumbai by post but the same is returned back with the remark "Addressee moved". However he failed to produce anything to prove this on record to that effect.

9. FAA submitted that, Appellant did not file any first appeal before FAA and no records of whatsoever found with the FAA in respect of present proceeding.

10. During the course of hearing, PIO submit that he has taken all efforts to furnish him the information. Even today he is ready and willing to furnish the information, however whereabouts of the Appellant is not known.
11. The Commission therefore directed the PIO to furnish the information to the Appellant, through Registered AD Postal Service on the address specified in appeal memo.
12. Accordingly today in the course of hearing i.e on 20/09/2021 PIO submitted that he has furnished the information to the Appellant by Registered AD Post and he produced on record the covering letter dated 30/08/2021, acknowledgment receipt of postal service and postal slip. On perusal of the acknowledgment receipt it is seen that Appellant has duly received the information on 03/09/2021.
13. From the records it reveals that Appellant personally carried out inspection and PIO accordingly has furnished the information to the Appellant by registered post.

In view of the above fact and circumstances, I find that PIO has furnished information on order and therefore appeal stand disposed with following:

O R D E R

The appeal is dismissed.

Proceedings closed.

Pronounced in the open court.

Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner