

GOA STATE INFORMATION COMMISSION

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 58/2020

Shri Nigel Gonsalves,
5, Sorab House, Khambatta Lane,
Opp. KJBU P.O.
Byculla (E), Mumbai 400 027

.....Appellant

V/s

1. Public Information Officer (PIO),
Office of the Asst. Registrar of Cooperative Societies,
North Zone, Govt. Office Complex,
Mapusa, Goa 403507

2. The First Appellate Authority (FAA),
Office of the Registrar of Cooperative Societies,
Sahakar Sankul Building,
4th floor, Patto, Patto Plaza, Panaji-Goa

.....Respondents

Filed on : 04/09/2019

Decided on : 06/08/2021

Relevant dates emerging from appeal:

RTI application filed on	: 07/03/2019
PIO replied on	: 02/04/2019
First appeal filed on	: 28/04/2019
FAA order passed on	: 03/08/2019
Second appeal received on	: 04/09/2019

ORDER

1. Appellant Shri. Nigel Gonsalves R/o. Khambatta lane, Byculla (East), Mumbai, vide his application dated 07/03/2019 under the Right to Information Act, 2005 (RTI Act, 2005) had sought information on various points regarding Anandi Apartments Cooperative Housing Maintenance Society Dhuler, Mapusa-Goa, from Respondent No. 1, Public Information Officer (PIO), Office of the Asst. Registrar of Cooperative Societies North Zone, Mapusa-Goa.

2. It is the contention of the Appellant that the PIO sent a reply dated 12/03/2019 facilitating inspection of the documents sought by the Appellants, however entire information was not furnished by the PIO.
3. It is the contention of the Appellant that he filed first Appeal dated 28/04/2019 before the Respondent No. 2, First Appellate Authority (FAA), The Registrar of Cooperative Societies, Panaji-Goa. The FAA, while disposing the first Appeal ruled that the available information has been furnished to the Appellant. It is the contention of the Appellant that complete information sought vide application dated 07/03/2019 was not furnished and the copy of the FAA's Order was not sent to him. Being aggrieved, the Appellant filed Second Appeal dated 04/09/2019 before the Information Commission with various prayers including correct and complete information, penalty under section 20, compensation etc.
4. The matter was taken up and notice was issued to the concerned parties. Pursuant to the notice, Appellant appeared in person and the PIO remained present before the Commission. Thereafter the then Commissioner demitted Office and the matter was kept in abeyance. Matter came up for hearing after the new Commissioner took over, pursuant to which representatives of PIO and FAA appeared before the Commission on 23/03/2021.
5. The then PIO Shri. P. S. Sawant filed reply dated 06/08/2021 stating the Appellant was requested vide letter dated 12/03/2019 to visit the Office for inspection of the concerned file. The Appellant visited the Office on 27/03/2019 for inspection and collected the documents available in the file on the same day on payment of Rs. 32, copy of the receipt is annexed herewith. Shri. Sawant in the said reply has prayed for dismissal of this Appeal stating he has furnished available information and the FAA has dismissed the first Appeal after hearing.

6. The Appellant has not attended the proceedings except once on 5/03/2020. Nevertheless, during the course of hearing, the PIO has been directed by the Commission to send the entire set of information to the Appellant by Register A. D.
7. In view of this discussion and in the circumstances mentioned above:-
 - a. Since the information sought in the Application is furnished to the Appellant, the prayer for information becomes infructuous.
 - b. All the remaining prayers are rejected.
8. Hence the Appeal is dismissed and proceedings stand 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/-

(Sanjay N. Dhavalikar)
State Information Commissioner
Goa State Information Commission,
Panaji-Goa