

GOA STATE INFORMATION COMMISSION

“Kamat Towers” 7th Floor, Patto Plaza, Panaji, Goa – 403 001

Tel: 0832 2437880 E-mail: spio-gsic.goa@nic.in Website: www.scic.goa.gov.in

Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 118/2022/SIC

Shrikant V. Gaonker,
Padmavati Towers, SF-5,
2nd Floor, 18th June Road,
Panaji-Goa 403001.

-----Appellant

v/s

1. Mr. Devdatta S. Naik,
Public Information Officer,
Office of the Assistant Registrar of Co-operative Societies,
Central Zone, Sahakar Bhavan,
1st Floor, Opp. Municipal Market,
Panaji-Goa 403001.

2. Smt. Smita M. Gavande,
The Assistant Public Information Officer,
Office of the Assistant Registrar of Co-operative Societies,
Central Zone, Sahakar Bhavan,
1st Floor, Opp. Municipal Market,
Panaji-Goa 403001.

3. Mr. Harish S. Naik,
First Appellate Authority,
Office of the Assistant Registrar of Co-operative Societies,
Central Zone, Sahakar Bhavan,
1st Floor, Opp. Municipal Market,
Panaji-Goa 403001.

-----Respondents

Relevant dates emerging from appeal:

RTI application filed on	: 28/12/2020
PIO replied on	: 15/01/2022
First appeal filed on	: 14/03/2022
First Appellate Authority order passed on	: 13/04/2022
Second appeal received on	: 29/04/2022
Decided on	: 26/09/2022

ORDER

1. The second appeal filed by the appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') against Respondent No. 1, Public Information Officer (PIO), Respondent No. 2, Assistant Public Information Officer (APIO) and Respondent No. 3, First Appellate Authority (FAA) came before the Commission on 29/04/2022. The appellant is aggrieved by the action

of PIO and APIO, of not furnishing the information and the order passed by the FAA dismissing first appeal.

2. Notice was issued to the concerned parties, pursuant to which APIO, PIO and FAA appeared in person. On the other hand, appellant appeared in person and pressed for the information.
3. Shri. Devdatta Naik, PIO stated before the Commission on 22/06/2022 that he had never denied the information, on the contrary he requested the appellant to inspect the records in order to identify the information since the requested information was voluminous. Later on 27/07/2022, the PIO again volunteered to provide the inspection. Appellant agreed to visit PIO's office in the first week of August 2022.
4. Accordingly, the inspection was provided by the PIO and on 18/08/2022, information was furnished to the appellant. However, appellant pointed out that the part information, i.e. information on point no. 7, 15, 16 and 17 was missing. Hence, the Commission directed PIO to furnish the remaining information to the appellant on or before 25/08/2022.
5. It is seen that as directed by the Commission, the remaining information has been furnished by the PIO alongwith a reply dated 25/08/2022, received in the registry on the same day. Thus, the Commission finds that the complete information has been furnished to the appellant.
6. It is noted that the information requested was voluminous and PIO found it difficult to gather and furnish the same to the appellant. PIO furnished the information as soon as the appellant inspected the records and identified the documents. The information was never denied by the PIO, hence no malafide can be attributed to the PIO as his failure to supply the information within the stipulated period was neither intentional nor deliberate.

7. With the facts as mentioned above, the Commission concludes that the PIO has furnished the complete information though after the expiry of the stipulated period. Hence, the prayer for information becomes infructuous and no more intervention of the Commission is required in the present matter.
8. In the light of above discussion, the present appeal is disposed accordingly and the proceeding 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/-
Sanjay N. Dhavalikar
State Information Commissioner
Goa State Information Commission
Panaji - Goa