GOA STATE INFORMATION COMMISSION
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Appeal No. 59/2023/SCIC

Mr. Prashant M. Vast,
H. No. 187, Kalavati Niwas,
Behind Union Bank of India,
Vasco Da-Gama, Goa 403802 .....Appellant

V/s

1.The Public Information Officer (PIO),
Mormugao Planning and Development Authority,
2nd Floor, Commerce Centre, Vasco-Da-Gama, Goa.

2. The First Appellate Authority (FAA),
Mormugao Planning and Development Authority,
2nd Floor, Commerce Centre,
Vasco-Da-Gama, Goa ..... Respondents

Shri. Vishwas Satarkar, State Chief Information Commissioner

Filed on: 02/02/2023
Decided on: 18/01/2024

ORDER

1. Appellant, Shri. Prashant M. Vast, resident of House No. 187, Kalavati Niwas, Behind Union Bank of India, Vasco, Goa, vide his application dated 23/08/2022 filed under section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as Act), sought certain information from the Public Information Officer (PIO), Office of the Member Secretary of Mormugao Planning and Development Authority (MPDA), Vasco, Goa.

2. The said application was responded by the PIO on 20/09/2022 in the following manner:-

> "*Your application under Right to Information Act, 2005 has been considered under section 7(1) of the Act and I am to inform you the following which is placed on record by the official of this Authority under Section 5(4) and 5(5) of the Act.*
>
> *(i) With regards to information sought by you at Sr. No. 1 and 2 of your application is not available in VPDA/1-H-7 of this Authority, hence cannot be issued."*

3. Being aggrieved and not satisfied with the reply of the PIO, the Appellant preferred first appeal before the Member Secretary, Mormugao Planning and Development Authority (MPDA), Vasco-Da-Gama, Goa on 15/12/2022, being the First Appellate Authority (FAA).

4. Since the FAA has failed and neglected to hear and dispose the first appeal within stipulated time, the Appellant landed before the Commission by this second appeal under Section 19(3) of the Act.

5. Notices were issued to the parties, pursuant to which, Appellant appeared in person on 13/03/2023, Adv. M. P. Kamat appeared on behalf of the Respondents and filed her wakalatnama on 05/07/2023 and sought time to file reply and on 16/10/2023. Adv. M. P. Kamat appeared alongwith the PIO Shri. Ramesh Parsekar and filed Affidavit in reply dated 04/10/2023.

6. The PIO, through his Affidavit in reply dated 04/10/2023 contended that documents requested by the Appellant are not available in the records of the public authority. However with regards the copy of Resolution passed by Raghunath Apartments Co-operative Housing Society Limited, Vasco, Goa, the same has been procured from the said society. He also furnished the copy of Minutes of 5th Annual General Body Meeting of Raghunath Apartments Co-operative Housing Society Limited, held on 17/10/1993 to the Appellant.

7. In the course of hearing on 09/11/2023, the Appellant submitted that though he received the copy of minutes dated 17/10/1993, same is not properly certified. The Commission, therefore, directed the PIO to furnish the document in streamlined manner and matter was posted for compliance on 14/12/2023.

8. During the course of hearing on 14/12/2023, Adv. M. P. Kamat appeared and placed on record the compliance report and submitted that she has complied with the direction of the Commission and furnished the certified copy of the Minutes of Annual General Body Meeting dated 17/10/1993, wherein at item No. 7 of the Meeting, it was resolved unanimously to grant permission to use an access to M/s Hira Film Exhibitors.

9. Since all the available information has been furnished to the Appellant by the PIO, I hold that nothing survives in the matter. Accordingly, the matter is disposed off.

- Proceeding closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner