

**GOA STATE INFORMATION COMMISSION AT  
PANAJI**

**CORAM:** Shri Afonso Araujo, State Information Commissioner

Appeal No. 256/SCIC/2008

1) Mr. Kashinath Shetye,  
Bambino Building,  
Alto Fondvem, Ribandar,  
Tiswadi - Goa.

2) Shri Aditya Prasad Prabhu  
Saterimol Nirankal  
Ponda – Goa

... Appellants.

V/s.

The Public Information Officer,  
The Asst. Registrar of Co-op. Societies,  
Central Zone, Panaji - Goa.

... Respondent

Appellant present in person.

Respondent present in person.

**J U D G M E N T**

**(Per Afonso Araujo)**

The Order of the First Appellate Authority dated 11<sup>th</sup> November 2008 directing the Appellants to approach the Public Information Officer for information which is already available is challenged in this Appeal.

2. By letter dated 24<sup>th</sup> September, 2008 addressed to the Public Information Officer Department of Co-operation, Panaji, the Appellant sought information in respect of Conxem Nirankal Vikas Society Limited under the Right to Information Act, 2005 (for short, 'The Act') and which is enumerated at serial No. 1 to 14. The Dy. Registrar of Cooperative Societies by letter dated 26<sup>th</sup> September 2008 made over the application dated 24<sup>th</sup> September 2008 of the Appellant to the Asstt. Registrar of Cooperative Societies to provide the

information sought. The Respondent by letter dated 10<sup>th</sup> October 2008 informed the Appellant that the audit has been completed up to the year 2002-2003 and as the information is not available the Society has been requested to do the needful. Aggrieved by this denial of information the Appellant preferred First Appeal and by the Impugned Order the First Appellate Authority directed the Appellant to approach the Respondents for obtaining required information readily available on payment of requisite fees.

2. The First Appellate Authority in his order dated 11<sup>th</sup> November 2008 made an observation stating that the Respondent No. 1 made a submission that the management of Conxem Nirankal Vikas Society has made available the information as sought by the Appellant by taking out Xerox copy and the cost of the same worked out to Rs. 2306/- and that the Appellant instead of collecting the requisite information preferred the appeal before the expiry of the stipulated period of 30 days. The contention of Appellant is that inspite of the payment of Rs. 2306/- the information was not provided to the Appellant. The very fact that the Respondent submitted that the Conxem Nirankal Vikas Society has made available the information sought by the Appellant in his letter dated 24<sup>th</sup> September 2008 and the fact that the Appellant deposited the amount of Rs. 2306/- it is not understood the reasons the Appellant not obtaining the said information to this date. Before dealing the question of imposing penalty and giving compensation to the Appellants the Respondent to provide the information without any delay. Hence, the following order.

### **ORDER**

The appeal is allowed. The order dated 11<sup>th</sup> November 2008 is quashed and set aside.

The Respondent to provide the information sought by the Appellant in the request dated 24<sup>th</sup> September 2008 the cost of which of Rs. 2306/- is already deposited. The Respondent to provide the

information within ten days from the date of receipt of this order and report compliance on 18.06.2009 at 10:30 a.m.

Pronounced in the open court on this 05<sup>th</sup> day of June 2009.

Sd/-  
(Afonso Araujo)  
State Information Commissioner